

SENATE—Tuesday, July 19, 1994

(Legislative day of Monday, July 11, 1994)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. BYRD].

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:
*Thou wilt keep him in perfect peace, whose mind is stayed on thee. * * **—Isaiah 26:3.

Almighty God, sovereign Lord of history and nations, You are needed here—Your presence, Your mercy, Your judgment, Your wisdom, Your love.

We need You in this formidable arena of controversy, conflict, and compromise, where unnumbered agendas converge and demand attention, where special interests collide, where strong wills clash. We need You when tempers rise, emotions boil, frustration enervates, and suppressed anger explodes.

Gracious God, in this vortex of the storm where personal, local, regional, national, international, and special interests concentrate, give to the leaders, the Senators, and their staffs grace exceeding the tempest.

In the name of Him whose peace the world cannot give nor take away. Amen.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10 a.m., with Senators permitted to speak therein for not to exceed 5 minutes.

If no Senator seeks recognition, the Chair, in his capacity as a Senator from the State of West Virginia, suggests the absence of a quorum, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATFIELD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. MOSELEY-BRAUN). Without objection, it is so ordered.

Mr. HATFIELD. Madam President, I ask unanimous consent that I may proceed as in morning business until 10:10.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, the Senator from Oregon [Mr. HATFIELD] is recognized until 10:10 a.m.

Mr. HATFIELD. I thank the Chair.

(The remarks of Mr. HATFIELD and Mr. WELLSTONE pertaining to the introduction of S. 2294 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

UNICEF PROGRESS OF NATIONS REPORT CHILD NUTRITION NEEDED AS PART OF FOREIGN AID

Mr. MURKOWSKI. Madam President, the Senate has recently passed the foreign operations appropriations bill. This bill will soon go to conference committee. I would like to take this opportunity to tell my colleagues about UNICEF's recently released annual Progress of Nations report.

This report offers a country-by-country comparison of the progress made in meeting the basic needs of children and families. The report expresses the hope that "development also means action to protect the vulnerable and to invest in adequate nutrition, safe water, primary health care, basic education, and family planning."

Nearly 13 million children die each year of preventable malnutrition and disease; victims not of war, but of chronic poverty; dying not of massacres but of measles and dehydration. And we know what to do to prevent this.

The report indicates that due to increased global immunization rates, there are 3 million fewer child deaths each year, with 1½ million fewer deaths due to prevention of measles alone. Yet 1 million children still die each year of measles and over half a million newborns still die of tetanus.

In the early 1980's, 4 million children were dying annually of dehydration due to diarrhea. The report highlights that with oral rehydration therapy, a simple Gatorade-like solution now utilized by nearly 40 percent of the world's families, 1 million child deaths are prevented each year. Yet 3 million children still die each year of diarrheal dehydration, and at least half of those deaths could be prevented by the therapy.

Basic education is also an important goal for foreign aid. World Bank studies estimate that each additional year of education results in a 10-percent de-

crease in birth rates and in child death rates, and a 10- to 20-percent increase in wages.

Madam President, I believe that the UNICEF report shows that the foreign aid appropriations bill should retain provisions aimed at funding child survival and nutrition programs around the world. I am sure that my colleagues feel the same. Certainly saving children's lives should be a high priority of our foreign aid.

CONCERNING THE CRIME BILL CONFERENCE

Mr. GRASSLEY. Madam President, conferees first began to meet to reconcile differing versions of anticrime legislation more than a month ago. The conference committee adjourned without taking any substantive action, and it has not yet reconvened. The conferees may return to work Thursday, however, and I wanted to take this opportunity to offer my thoughts on the proposed chairman's mark conference report and the Republican alternative.

When the Senate passed anticrime legislation last November, we passed a tough bill. And we passed a bill that was fully paid for by spending reductions as a result of restructuring Government. The chairman's mark crime conference report is not fully paid for and it is not as tough as what we passed in November.

The chairman's mark will raise the deficit by \$13 billion. The additional sums reflect the social spending proposals mistakenly labeled "crime prevention." These social programs are an attempt to turn the clock back to the 1960's and the Great Society. At the very least, they are an effort to turn back the clock to last year, when Congress rejected a stimulus plan of almost the same monetary amount. Job training programs and expenditures on infrastructure, midnight basketball, and life skills is not anticrime legislation. The American people are rightfully concerned about crime. They are clamoring for Congress to act. But they want real action, not just motion. They do not shout, "reduce crime; spend money on increasing the self-esteem of our youngsters," as the Assistance for Delinquency and At-Risk Youth Programs would do.

The Republican alternative, by contrast, focuses money on law enforcement. Putting dangerous criminals in prison is the best crime prevention measure. The Republican alternative

will put \$15 billion into prisons, and it will condition State receipt of some of that money on enacting truth in sentencing. The Republican alternative represents a more effective approach to fighting crime by being tougher on those who commit the violent crime that is shattering the lives of too many people in this country.

Last year, an unfunded stimulus package was filibustered. It may happen again this year. And I am sure that no crime conference report that contains racial quotas on the death penalty in any form will pass. News reports suggest that a compromise to limit the scope of the so-called racial justice act may be in the works. But the American system of individualized justice is not something that can be compromised.

Madam President, I am glad that the crime conference will meet again soon. I will be working to make sure that the final conference report reflects the tough provisions this body enacted last fall.

I hope we will be able to present to the American people a tough bill that will improve people's lives, not a rehash of shopworn old social programs that will achieve nothing except a higher deficit.

CONGRESS IRRESPONSIBLE? YOU BE THE JUDGE

Mr. HELMS. Madam President, as of the close of business on Monday, July 18, the Federal debt stood at \$4,624,283,138,985.72. This means that on a per capita basis, every man, woman and child in America owes \$17,737.20 as his or her share of that debt.

SOCCER TOWN, U.S.A.

Mr. BRADLEY. Madam President, I rise today to honor the city of Kearny, NJ—or, as I prefer to call it Kearny, Soccer Town, U.S.A.

In the mid-1870's, thousands of Scottish and Irish immigrants migrated to Kearny in northern New Jersey, located just 10 miles west of Manhattan. With them they brought their rich cultural heritage, complete with a penchant for playing soccer.

Time did little to extinguish the flame of soccer in the hearts of Kearny residents. Rather, through the establishment of a number of club teams, the sport flourished. In fact, in 1930, Kearny sent three residents to the U.S. National Soccer Team which reached the semifinals of the inaugural World Cup held in Uruguay.

Today, Kearny continues to excel in the sport of soccer. Nowhere was Kearny's continued excellence more evident than in the recent efforts of the U.S.A. World Cup Soccer Team.

While the country watched with excitement and pride as the U.S. team

advanced to the second round of the 1994 World Cup Tournament, the 36,000 residents of Kearny watched with added enthusiasm. Representing our country were three of Kearny's own: Tony Meola, John Harkes, and Tab Ramos. Two of these players, goalkeeper Tony Meola and midfielder John Harkes, competed in Kearny youth soccer leagues and were teammates at Kearny High School. Joining Mr. Meola and Mr. Harkes in Kearny's Thistle Youth Soccer Program was midfielder, Tab Ramos. The solid play of these three New Jerseyans was vital to the success of the U.S. team.

The United States is proud to be hosting the 1994 World Cup Tournament. The games held across our country—from Palo Alto, CA, to East Rutherford, NJ—have no doubt rekindled the appeal of the sport for many Americans. In Kearny, though, the appeal of soccer has never waned; the town has remained a cradle of the sport. I think it is safe to say that, thanks in part to the success of Tony Meola, John Harkes, and Tab Ramos, Kearny will remain Soccer Town, U.S.A. for some time to come.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 4554, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4554) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1995, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Heflin amendment No. 2303, to make funds available for emergency community water assistance grants, low-income housing repair grants, and the Agriculture Credit Insurance Fund Program account.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WELLSTONE. Madam President, I wonder whether my colleague from Mississippi would let me take 10 seconds for a unanimous-consent request.

Mr. COCHRAN. I have no objection.

PRIVILEGES OF THE FLOOR

Mr. WELLSTONE. Madam President, I ask unanimous consent that Margo Dean, an intern in my office, be granted

ed the privileges of the floor today with me.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Mississippi.

Mr. COCHRAN. Madam President, I was rising to suggest the absence of a quorum, but I see my good friend, the distinguished floor manager of the bill, Senator BUMPERS from Arkansas, on the floor, and I yield the floor.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. What is the parliamentary situation, Madam President?

The PRESIDING OFFICER. The pending business is amendment No. 2303 by Senator HEFLIN, the Senator from Alabama, committee amendments having been set aside.

Mr. BUMPERS. Madam President, we have excepted six or seven committee amendments because various Senators have said that they would like those excepted and wanted either an up-or-down vote on them or wanted to amend that. So far, the only debate that has been held was the debate by Senator BRYAN yesterday on the Market Promotion Program. We will resume that debate at 2:15 p.m. today and no further debate on that will be in order until then.

Between 12:30 and 2:15 this afternoon, we have the party caucuses, but there is not anything to prohibit anybody from coming over here and offering an amendment right now. If we are going to finish this bill tonight, as the majority leader is insisting, the people who have business on this bill are going to have to get here and offer their amendments, because the time is running.

I am saying this for the benefit of our colleagues who hopefully are watching the proceedings in their offices, to let them know at some point, either with or without an objection, I am going to move to start adopting those committee amendments, either en bloc or one at a time, because they hold the potential for keeping us here for 2 or 3 days.

There are at least seven amendments that I have been told about that various Senators are going to offer on the bill. But I would strongly urge them to get those amendments over here.

Having said that, Madam President, I hope that I would have the concurrence of my good friend, the distinguished ranking Member from Mississippi, Senator COCHRAN, in running a hotline to see if we can get a fairly comprehensive list of amendments that are likely to be offered on both sides, with a view toward getting a unanimous-consent agreement on an exclusive list of amendments which will be offered and possibly time agreements on each one. But one step at a time. I would settle right now for trying to get a list of all the amendments that are likely to be offered. We can worry about the time agreements later.

I can already see this bill going into tomorrow, unless something starts happening; namely, Senators coming over here and offering their amendments.

Madam President, I ask unanimous consent that I be allowed to proceed for not more than 5 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENTITLEMENTS

Mr. BUMPERS. Madam President, we are in the appropriations process. I spoke yesterday afternoon about the fact that we still have a \$4 trillion national debt. While the news is good that the deficit continues to decline, we also know that in 1996 the deficit will quit declining and go up slightly unless a number of things happen:

One is, unless we pass some sort of bill that controls health care costs we will see an increase in the deficit.

The second thing is, there is a myth that is pervasive in the U.S. Senate that entitlements are the sole cause of the deficit. There is no denying that so-called entitlements—which include Social Security, Medicare, food stamps, pension funds—are in fact going up much faster than the rest of the deficit.

The discretionary spending, such as the roughly \$13.5 billion in this bill, is actually declining. What that means is the funding for things that we do here that make us a greater nation—namely, control crime, educate our children, provide jobs for our people—is declining in the Congress. But simply because it is declining is no justification for continuing to waste money in that category, namely, domestic discretionary spending. There have been all kinds of gnashing of teeth because the Senator from Nebraska [Mr. EXON] and the Senator from Iowa [Mr. GRASSLEY] offered an amendment on the budget resolution to cut an additional \$13 billion in domestic discretionary spending, which includes defense, over the next 5 years. I am not gnashing my teeth, I am simply saying that the bill passed, that amendment was adopted, and we now have the obligation, the solemn duty, to comply with it.

We can start with the space station. It will probably be debated on the floor of the Senate next week. I have been trying to kill that sucker so long I cannot remember when I started, but this is going to be either the fourth or fifth year that I have tried to convince the Members of the U.S. Senate that the cost is staggering and the benefits are minimal. There is over \$2 billion in the HUD/VA appropriation bill this year for the space station. The House, because of intense lobbying from the Vice President and the White House, overwhelmingly adopted the \$2-plus billion

appropriation this year to continue the space station. If the Senate should suddenly come to its senses and vote to kill the space station this year, that would take care of over \$10 billion of what we are trying to find to take care of the Exon-Grassley amendment.

Unfortunately, we are not going to do it. I do not much believe we can kill the space station with the White House lobbying on the other side. What a pity.

It is not just the space station, incidentally, if I may digress; it is everything. The National Endowment for Democracy—you cannot kill it. I used to think the only programs around here you could not kill were in the Defense Department, but it has reached the point you cannot kill a program of any kind for any reason. The National Endowment for Democracy has a board membership that looks like Who's Who in America. Every year when that appropriation comes up, we receive all these letters from these very knowledgeable people who have nationwide reputations saying, "This is a magnificent program. Please don't vote to kill this." And the money goes to the Republican and Democratic Parties and labor unions and the chamber of commerce. Do you believe that? Madam President, \$35 million, almost evenly divided between the two political parties and the AFL/CIO and the chamber of commerce. What in the name of heaven are we doing?

Then the Defense Department has this magnificent communications system called Milstar. Not many Senators have ever heard of Milstar—but why would they? It is only \$30 billion. We have an opportunity to cut that system this year but my guess is we will not come close.

When Les Aspin was Secretary of Defense he appointed a group of the most knowledgeable communications people in America to study Milstar. It was conceived in 1981 to use in a 6-month nuclear war to communicate between the forces in the field and the Pentagon—in 1981, the height of the cold war. It made very little sense then. Who are you going to communicate with after the first 24 hours? There ain't going to be anything left. Think about the idiocy of spending \$30 billion so we can communicate with our forces during a 6-month nuclear war.

I get up and say these things and the American people call my office and say, "Senator, that was a magnificent speech that you made. Why didn't you prevail?" It would take longer to explain that than it would to debate the issue. But that is the reason we have a \$4 trillion national debt. We have already spent \$12 billion on Milstar, and we have put up one satellite out of the six we are going to put up. Its initial power system has already failed, and it was supposed to last 7 years. But we are going to spend \$18 billion more on

a system that we do not need, is ill-conceived, poorly designed, and whose costs are completely out of control. We cannot kill it. We cannot stop anything around here.

Going back to the point I was about to make a moment ago about Milstar, when Les Aspin and the Department of Defense did what they call their Bottom-Up Review, they appointed four of the most knowledgeable organizations in America in the field of communications, to examine the program MITRE, for example. And those four organizations, after studying Milstar extensively, said you should go ahead and deploy the second Milstar satellite in 1995. Why? Because we have already paid for it so we might as well put it up. But then they went ahead to say, "Cancel the last four. Do not go ahead with this project. Instead, accelerate the smaller, cheaper follow-on system and save \$3.5 billion."

These are the experts, appointed by the Department of Defense, and they come back and they say kill that system. So now do you know what the Defense Department has done? They have said, "We do not need it for strategic forces to fight a nuclear war anymore. We need it for tactical reasons." Even though the number of messages it will carry is just a fraction of what an existing defense communications system will carry and no more than the cheaper follow on, Milstar 3, would carry. It would not make any difference if the Second Coming walked on the Senate floor and said, "This is a bad idea," it would still get funded. And one of the reasons it would be because it means jobs.

I am not going to belabor this any further. But in the past several years the only success I have had with amendments I have offered to cut spending was the superconducting super collider, and the House really killed it.

I received a lot of credit for killing the super collider, but the truth of the matter is, we lost in the Senate. It was the House that killed the super collider.

The other success in cutting spending was the advanced solid rocket motor, which was a \$3 billion saving. The House killed that one too. But the House let me down this year on the space station. They passed it by 1 vote last year and about 150 votes this year. That is what the power of White House lobbying will do.

There are a whole host of other things, Madam President, I could mention, but I do not stand around letting my colleagues tell me how terrible the Exon-Grassley amendment is, because we can accommodate that very easily if suddenly everybody in this place came to their senses and decided they wanted to.

I am going to have a very difficult time, and I sit on the Entitlements

Commission, the so-called Kerrey Commission. The Presiding Officer sits on that Commission with me. We have been talking about what we are going to do about Social Security, and all of a sudden, I am getting mail from all over the United States: "Please do not let them cut my Social Security."

I do not think we are going to. Whoever set up that Commission very intelligently decided not to make a report until after the elections were over, because you cannot deal with those things in an election year.

Last summer when I went home after casting a very unpopular vote on the budget reconciliation bill I told my constituents, many of them upset with my vote, that the one thing I knew is if you are serious about the deficit, you try to reduce it, you try to cut it. And there are only two ways to do it: One is to cut spending and the other is to raise taxes.

I do not know which is more unpopular. I get as much mail for one as I do for the other. We grew up with entitlements. With that Entitlement Commission, you have to tell people we are not trying to cut your Social Security, but you should know that in about 20 years, there will be nothing left. It is now paying out more than it takes in.

You have to be honest with people. I made the point the other day that if you are really serious about dealing with Medicare and Social Security, and a whole host of other things, you better start laying the groundwork for it, because it is the one thing people do not want to hear. Forty million recipients do not want to hear it, and I understand that.

I have paid the maximum Social Security since I was 27 years old, Madam President, and I hope I never draw a dime. I hope I am always active and making enough money that would bar me from drawing any Social Security. I am happy for other people who are less fortunate to draw whatever I paid in.

We are rapidly reaching the point, though, where we are going to have two people paying into the system for every one drawing out of it. Then we are going to almost reach the point where we have 1½ people for every one drawing out. You do not have to be a rocket scientist to know that the Social Security System cannot be sustained forever on that basis.

It is a mammoth problem. You can sit back and say do not do this and do not do that, but I will tell you, if you do nothing, you ought to forfeit your seat. All of these programs have to be dealt with. All I am saying is I would be very reluctant to vote for anything on any of those entitlement programs until we have dealt with a whole host of other issues.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AGRICULTURAL, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

The Senate continued with the consideration of the bill.

Mr. MCCAIN. Madam President, I ask unanimous consent that the pending Heflin amendment be set aside in order that I may propose an amendment at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2305

(Purpose: To strike a provision prohibiting the Secretary of Agriculture from approving Food Stamp "cash-out" demonstration initiatives)

Mr. MCCAIN. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] for himself, Mr. KERREY, Mr. DOLE, Mr. BROWN, Mr. DURENBERGER, Mr. KOHL, Mr. EXON, Mr. PACKWOOD and Mr. LIEBERMAN, propose an amendment numbered 2305.

Mr. MCCAIN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the pending committee amendment add the following:

"Provided further that the following Section of the bill is null and void:

"Provided further, That no funds provided herein shall be available to provide food assistance in cash in any county not covered by a demonstration project that received final approval from the Secretary on or before July 1, 1994."

Mr. MCCAIN. Madam President, I propose this amendment on behalf of myself, Senator KERREY, Senator DOLE, Senator KOHL, Senator DURENBERGER, Senator BROWN, Senator EXON, Senator PACKWOOD and Senator LIEBERMAN.

This amendment is strongly supported by the National Governors Association and the National Association of Counties. It is a simple amendment. The amendment would repeal a provision in the bill which prohibits the Secretary of Agriculture from empowering States to use food stamp money to demonstrate new and creative welfare reforms.

Currently, 20 States are either implementing or have proposed food stamp conversion projects. Such initiatives

include converting food stamp money to wage subsidies for the poor so they can go to work, learn a skill and earn a paycheck. In other instances, States want to provide direct cash benefits to poor families so they, rather than the Federal Government, can decide how the family budget will be spent. The 20 States that are pursuing such projects include Alabama, Arizona, California, Colorado, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, New York, North Dakota, Ohio, Oregon, Pennsylvania, Utah, Virginia, West Virginia, and Wisconsin.

Madam President, the Senate should embrace and encourage, rather than prohibit, State and local initiatives that will better serve needy Americans and help break the grinding cycle of poverty and dependence.

The prohibition in the pending bill is a regressive and counterproductive restriction on the administration's discretionary authority, and it flies in the face of the obvious need to encourage innovation, flexibility and accountability in our stagnant welfare system. We have heard a lot of talk about welfare reform, much of it right here on the Senate floor.

The American people are demanding fundamental change in a system that has failed its promise to restore economic independence to those in need. We are losing the war on poverty. It is time for new tactics and firmer resolve. Recognizing this reality during the 1992 campaign, President Clinton, as we all know, promised to end welfare as we know it.

While we may argue whether the President can fulfill that pledge, the public's will is unmistakably clear. But it appears the Congress, rather than ending welfare as we know it, prefers to end welfare reform as we know it with a three-line provision in a spending bill.

Fortunately, the States have taken to heart the national imperative to correct a system which has clearly failed to win the war on poverty. While 6 States operate food stamp conversion programs, 13 others are planning to implement demonstrations on their own, and more will follow suit. But such programs can only be implemented with the permission of the Federal Government.

The Secretary of Agriculture currently has the discretion of whether to grant Federal permission, and this administration has done so on three occasions.

In explaining the administration's position on this question, the Secretary of Agriculture, Mike Espy, could not be more clear about the importance of empowering State and local Governments to innovate. He said:

The President and I feel strongly that States must have the flexibility to experiment with innovative approaches to welfare and food assistance. The rigorous evaluation,

limited duration and limited scope of any cash-out experiments will allow USDA to keep a close eye on their operation.

In Executive Order 12875, the President says that State and local governments "should have more flexibility to design solutions to problems faced by citizens in this country without excessive micromanagement and unnecessary regulation from the Federal Government."

The administration's National Performance Review concludes that "State and local managers must have flexibility to waive rules that get in the way."

So, Madam President, the administration understands the need for innovation and flexibility; our Nation's Governors from Maine to California understand the need for innovation and flexibility; and, most importantly, taxpayers and welfare recipients understand the need for innovation and flexibility. So why are we now debating this on the Senate floor?

I know that some advocates do not like the idea of "cash outs" and wage subsidies because they fear that poor families will not or cannot make the proper spending choices if empowered to do so. To me this is the kind of paternalism that is at the core of the problems of our troubled welfare system.

In fact, most low-income families involved in food stamp conversion demonstrations prefer to receive a benefit check or paycheck because they can budget their monthly expenditures the same way other families budget their household spending, rather than having the Federal Government decide exactly how much money they should spend on food each month. And many of these families know that a job, made possible by a wage subsidy, can be a vital bridge to economic independence.

Research cited by the National Governors' Association shows that food stamp conversion does not change the availability or adequacy of food to clients. In Alabama, for example, 80 percent of the families in the demonstration counties reported that they had enough to eat every month—the same percentage as the families in counties receiving food stamp coupons. Just 5 percent reported running out of resources for food, again the same percentage as in counties using food stamp coupons.

Studies also show that recipients used additional cash on basic needs that are critical to their families' well-being—principally transportation, shelter, clothing, medical care, and education.

In one of the demonstrations, researchers found that families that purchased food with cash got better food value than families using food stamp coupons because cash enabled them to buy from a wider array of more economical suppliers such as farmers' markets and cooperatives.

Madam President, I know there are those who oppose flexibility, such as some large food retailers that enjoy a captive market with food coupons or those who believe the Federal Government can make better decisions about the family budget than the families themselves, and those who simply want the status quo. But I do not find their arguments compelling.

I am sure there are criticisms, some perhaps valid, about some of the "cash out" demonstrations, and I wish to be clear—I support work-oriented reforms. But many projects have succeeded. And at the very least, we should allow the Secretary of Agriculture to use his judgment and discretion to determine whether an initiative is appropriate and useful rather than denying him that discretion entirely.

Some may argue that taking away the Secretary's discretion today is of little consequence because Congress is considering major welfare reform legislation which is expected to deal comprehensively with these issues.

The prospect of passing major welfare reform this year is not good. So the pending bill puts us in the absolutely absurd position of anticipating reform by eliminating what little reform and flexibility exists under the current system. If needed comprehensive welfare reform does not come this year, we will have taken a giant step backward by restricting existing opportunity for innovation, flexibility, and empowerment, the very elements that our worn and ineffective welfare system needs most.

Madam President, I hope we will listen to our Nation's Governors on this issue. On July 19, 1994, our Nation's Governors, in the form of the National Governors' Association, issued an action alert on a food stamp vote, and I quote:

The Senate will vote this afternoon on several different proposals—

That is today—

To limit food stamp waivers to states as part of the fiscal year 1995 Agriculture appropriations bill. The House has already passed the bill and included in it a ban on any waivers that allow states to convert food stamps to cash benefits or to wage subsidies. The House ban would be effective July 1, 1994, through September 30, 1995.

The National Governors' Association strongly supports the McCain-Kerrey amendment to strike from the bill the House language banning these food stamp waivers. Governors should make calls as soon as possible Tuesday morning to their Senators to ask them to support the McCain-Kerrey amendment and to oppose all other amendments on this issue. Key votes could occur any time Tuesday afternoon. Calls from Governors' staff to Senators' staff are also very important to ensure that the message gets through before the vote.

The National Governors' Association expects that there will be at least two other amendments offered on this issue. These amendments should be opposed because they would significantly limit the ability of Governors to request food stamp waivers. Even if

the McCain-Kerrey amendment passes, states are likely to face restrictions on food stamp waivers in the conference agreement because the House bill already includes such limits. If one of the other amendments limiting waivers passes the Senate—instead of the McCain-Kerrey amendment striking the House language—states will be at a significant disadvantage going into the House conference on the bill.

And it goes on to describe the other two amendments that may be forthcoming, one by Senator KENNEDY and the other by Senator CONRAD.

Madam President, I ask unanimous consent that a copy of that letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the National Governors Association, July 19, 1994]

ACTION ALERT ON FOOD STAMP VOTE

The Senate will vote this afternoon on several different proposals to limit food stamp waivers to states as part of the fiscal year 1995 agriculture appropriations bill. The House has already passed the bill and included in it a ban on any waivers that allow states to convert food stamps to cash benefits or to wage subsidies. The House ban would be effective July 1, 1994 through Sept. 30, 1995.

NGA strongly supports the McCain-Kerrey amendment to strike from the bill the House language banning these food stamp waivers. (See attached letter and background information.) Governors should make calls as soon as possible Tuesday morning to their Senators to ask them to support the McCain-Kerrey amendment and to oppose all other amendments on this issue. The key votes could occur anytime Tuesday afternoon. Calls from Governors' staff to Senators' staff are also very important to ensure that the message gets through before the vote.

NGA expects that there will be at least two other amendments offered on this issue. These amendments should be opposed because they would significantly limit the ability of Governors to request food stamp waivers. Even if the McCain-Kerrey amendment passes, states are likely to face restrictions on food stamp waivers in the conference agreement because the House bill already includes such limits. If one of the other amendments limiting waivers passes the Senate—instead of the McCain-Kerrey amendment striking the House language—states will be at a significant disadvantage going into the House-Senate conference on the bill.

The other two amendments are as follows:

Senator Kennedy (D-MA) will offer an amendment that allows waivers to convert food stamps to wage subsidies but prohibits waivers to convert food stamps to cash benefits. This would prohibit waivers for the kinds of demonstrations proposed or underway in a number of states, such as California, Colorado, Maryland, Michigan, Minnesota, Montana, Nebraska, New York, North Dakota, Pennsylvania, Utah, Vermont, Virginia and Wisconsin.

Senator Conrad (D-ND) will offer an amendment that allows waivers to convert food stamps to cash benefits or wage subsidies only if the waiver request has been submitted by September 1, 1994 and if the state agrees to monitor the nutritional status of all the recipient children in the affected households and meet certain other requirements.

Mr. MCCAIN. Yesterday, at its meeting in Boston, the executive committee for the National Governors' Association voted to oppose limits on State innovation in the food stamp program. The Governors are expected to overwhelmingly pass the resolution this morning. Let me quote from the executive committee's news release.

We believe that this bipartisan statement opposing the food stamp waiver ban reflects the strong support of all Governors for continued State innovation and experimentation to reform the welfare system. We call on the Senate to defeat this proposal and to act to preserve State flexibility and executive branch authority in this area.

Madam President, I also ask unanimous consent to submit for the RECORD a letter in support of the amendment from the National Conference of State Legislatures and a letter from Governor Symington of Arizona.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL CONFERENCE
OF STATE LEGISLATURES,
Washington, DC, July 12, 1994.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: The National Conference of State Legislatures urges your support for a floor amendment to H.R. 4554, FY 1995 appropriations for agriculture, nutrition and related programs. This amendment would delete a provision in H.R. 4554 that would prohibit states, for one year, from converting food stamp benefits to cash payments or wage subsidies for beneficiaries. We strongly feel that this provision should be deleted.

Those states seeking to convert food stamp benefits would do so only subsequent to a grant of waiver authority from the federal government. Seven states have waivers pending; others are contemplating applying for waivers. These waivers are being sought as part of a larger strategy to strengthen welfare systems and demonstrate alternative mechanisms for providing benefits. The language in H.R. 4554 would have a chilling effect on these requests.

President Clinton asserts in Executive Order 12875 that "these (state and local) governments should have more flexibility to design solutions to problems faced by citizens in this country without excessive micro-management and unnecessary regulation from the Federal Government". The report on the National Performance Review concludes that "(state and local) managers must have flexibility to waive rules that get in the way". The language within H.R. 4554 discards flexibility and undermines the executive branch's discretionary capacity to approve waiver requests.

Many believe that the welfare and income security systems we have now are inefficient or ineffective. The "cash out" demonstrations sought by several states present perhaps a more effective means for giving recipients more control of and responsibility for their benefits. We will not know whether this is an appropriate alternative if the waiver process is stymied.

We appreciate your consideration of our perspective on the aforementioned language in H.R. 4554 and respectfully encourage you

to support an amendment to have it struck from the legislation.

Sincerely,

WILLIAM T. POUND,
Executive Director.

EXECUTIVE OFFICE,
STATE OF ARIZONA,
Phoenix, AZ, July 11, 1994.

Hon. JOHN MCCAIN,
U.S. Senate, Russell Office Building, Washington, DC.

DEAR JOHN: Thank you for expressing interest in sponsoring an amendment on the floor of the Senate to remove language from HR 4544, the agriculture appropriations bill, that prohibits any future demonstration projects to "cash out" food stamps.

This issue is critical to Arizona because in the legislative session that ended in April, as part of a significant welfare reform package, the Arizona legislature enacted SB 1456, known as the Arizona Full Employment Demonstration Project. This legislation established a 3-year demonstration project to provide employment to welfare recipients by utilizing the cash equivalent of AFDC and food stamp benefits to reimburse employers who have hired AFDC recipients. A more detailed summary of SB 1456 is attached for your convenience.

In order to implement SB 1456, Arizona soon will be submitting to the U.S. Department of Health and Human Services and the U.S. Department of Agriculture a Section 1115 waiver request to permit the cash out of AFDC and food stamp benefits. If Arizona does not have the option of cashing out the food stamp portion of the monthly AFDC and food stamp benefits, the demonstration project in SB 1456 will have to be abandoned or additional state general fund costs for the demonstration project will have to be greatly increased.

A few states have already received waivers to cash out food stamps for welfare demonstration projects and many more states are in the same process as Arizona and applying for waivers. Those food stamp cash out demonstrations that have been approved by the U.S. Department of Agriculture have been on a very careful and limited basis, and only with safeguards to assure that the basic character of the food stamp program remains intact. To hamper Arizona's and other states' ability to utilize this option will severely limit state options to design effective welfare reform programs and will send a negative message about the willingness of Congress to support further waivers and demonstrations.

I know you support states' innovative efforts to improve the welfare system by encouraging employment of welfare recipients. Therefore, your leadership on this issue is critically important.

Thank you for your support in this matter. Please let me know if you need any more information.

Sincerely,

FIFE SYMINGTON,
Governor.

Mr. MCCAIN. Madam President, I hope that we will not take too long on this amendment. I think it is clear that we have a philosophical difference on this issue. One is whether the Congress of the United States and the Federal Government, although in this case the Secretary of Agriculture obviously is opposed to the bill as it is written—whether the Governors and the State legislatures will be able to embark on

what 20 States have already experimented with, and that is better ways of administering the Food Stamp Program in order to better serve the people of their respective States.

There are those who believe that the Congress knows best. I happen to believe that the Governors and the State legislatures know best, since they are far closer to the problems than we are here in Washington, DC.

The National Governors' Association, as we know, is made up of members of both parties, both Democrat and Republican. I hope that my colleagues will find it of interest that the National Governors' Association unanimously is in support of this amendment.

I am very pleased to see my friend from Nebraska, Senator KERREY, who has also been heavily involved in this issue. And I might say without fear of contradiction, Senator KERREY of Nebraska, having served as the Governor of his State, I think is far better qualified than I am to know the importance of this amendment. As Governor of the State of Nebraska, where he did an obviously outstanding job, as we all know, Senator KERREY had to grapple on a day-to-day basis with the mandates that flow from Washington, DC, which he is required to implement. And many times, our Governors are not able to address problems they know they can fix at their level because of the strictures that are placed on them by the Congress of the United States and the Federal Government.

So, Madam President, I would ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second? There appears to be.

The yeas and nays were ordered.

Mr. MCCAIN. Madam President, I yield the floor.

Mr. KERREY. Madam President, I thank my distinguished colleague from Arizona for proposing this amendment. I am pleased to cosponsor it with him. As he has already pointed out, that the Governors' Association has unanimously—and I emphasize that—as urgently as they have, indicated we are about to make a serious mistake is an unusual situation.

And for us, at a time when health care reform, welfare reform—there appears in this body to be general support for the idea that we should have national programs that are increasingly administered at the local level where they are more apt to know what works and what does not work, for us at this particular point in time to be saying, "No. We have some States out there that will make it work. We want to stop that dead in its tracks," I think is a serious error. The distinguished Senator from Arizona, who has already spoken at the National Governors' Association in opposition to ending the

Cash-Out Program, is in support of this amendment.

I know colleagues are going to hear many things said in opposition to this. But I just put that simple piece of evidence before colleagues who are thinking about voting against this amendment. They should resist the pleas of people who live in Washington who have drafts, charts, and all sorts of truth that it will not work. They should listen to people who are home, who are making this Cash-Out Program work, and who have responded, who are trusted, who are given the authority to make it work.

The second thing I would add at the beginning of my own comments is to point out that not only have the Governors unanimously supported this but at this late hour we have a very quick response from the Public Welfare Association, people who are implementing the program, the caseworkers out there who are on a day-to-day basis with individuals who are in receipt of food stamps, who are on AFDC, who are on SSI, or for some other reason needing to go on welfare. People that are administering the welfare program are also in opposition to ending the Cash-Out Program.

This is a very unusual situation where the people that are administering the program on the front lines of the welfare workers and the Governors are saying, "Don't end this option. Don't end it." All of a sudden, what we are going to hear from—I have already begun to hear it. People who live in Washington, people whose address is Washington, DC, people who come to talk to us on a regular basis have studies. They have reports. They have opinions. They are not out there trying to make it work. They are not out there on a day-to-day basis managing the case of somebody who is trying to get off welfare. No. They have a theory. They have an ideology. That is what drives them.

I say with all due respect that this amendment ought to be relatively easily acceptable with that kind of backing. The underlying philosophy, the underlying effort of the Cash-Out Program strongly supported by my Governor and most of the people in the legislative body in the State of Nebraska is that we ought to be helping people get off of welfare; that the underlying premise here is that welfare recipients would prefer not to be on welfare.

If you are trying to help somebody get off welfare, one of the things you need to do is convert them from an attitude of using a coupon to buy food to an attitude where they are using cash to buy food. That is the difficulty. When they go in the supermarket line, instead of going through the indignity of having somebody behind them say, "Well, look at that welfare bum there buying cigarettes," they would be using cash. They are using cash to buy it.

Well, that is not good enough for our intellectuals. That is not good enough for our people here in Washington. They have done studies that say, "Well, they are not buying enough food when we give them the authority. Guess what these people do? They behave differently than what we want them to. They are not doing the right thing."

There is no demonstration; there is no analysis that has concluded that nutrition has declined as a consequence of this. The only concern that has been reflected thus far is that some people purchase a little less food. Madam President, as all of us know that means maybe they are buying a little more education. Maybe they are buying something else that is good.

No. Our folks that live here in Washington decided that these people were spending the money wrong. They do not care if they are getting off welfare. They care little about the indignity that these individuals feel as they are shopping and paying with cash. That is not a concern to them, apparently. They are not influenced by the public welfare advocates who are on the street out there working with individuals. They do not care about what the Governors say. They are concerned with the administration of the program and the integrity of the program.

No wonder American taxpayers are turning off to the idea that we can help people. The reason they get turned off to the idea is that when the people themselves decide this is the way they want to be helped, it offends people who have had how somebody ought to be helped.

I must say, Madam President, I am very appreciative of the fact that it sounds as if ending these cash-out programs would be a good idea. I can hear the argument and acknowledge that the arguments intellectually make sense. But I urge my colleagues again to consider that what makes sense for us very often does not make sense at all out there on the street. We have all experienced that. We have all experienced great ideas that we have had, and when we take them out there on the street people say, "Where did you get that idea? Where did you come up with that notion that that would work? You need a reality check, Senator." They will say that to you. "Where did you come up with a lamebrained idea like that?"

Well, this is a very similar kind of situation where they say it makes sense to end this cash assistance program. We have some preliminary USDA studies that show that welfare recipients are purchasing less food. "Oh, my gosh. We don't want them to purchase less food. They might be buying something else." Maybe they value something—maybe they are budgeting the money. "Gosh. We do not want them to do that. We want them to be hooked on

the voucher. We want them to take that piece of paper and stand in a supermarket line and exchange the piece of paper for food."

I happen to believe that it is in our interest to have human beings require the dignity that comes with budgeting their money, exchanging cash for merchandise, moving off of welfare. I say with great respect to those who believe that ending this Cash-Out Program is good policy let us in this case listen to the people who are governing the States who have unanimously said that this cash-out existing program should continue. Let us listen to the individuals who may have in all the Government the toughest jobs of all, other than the people who answer the phones in my office, the welfare caseworkers who are out there working on the line who are saying to us, "Let us use this. We can make it work out."

It is a \$20 billion-plus annual program, and from reading the paper yesterday, it is estimated that about 8 percent of the money is used fraudulently, which is a fair amount of change; \$.6 or \$.8 billion. It is not like the Federal Government has been doing a good job in operating this thing in an efficient fashion. Let the individuals out there who need the food and have the cash make the decisions how they are going to do it. Not only in my judgment will it be good for the individuals, but it will also be good for the taxpayers, and I think it will be good for us to learn that we sometimes do not have the best ideas. Sometimes the best ideas are hundreds of millions of Americans who are making the decisions constantly on a daily basis.

I appreciate very much the distinguished Senator from Arizona taking the lead on this. I am pleased to join with him. I hope my colleagues, in spite of the arguments that are made that sound good that seem to make good sense, will listen to the Governors and the public welfare workers who are saying that that Cash-Out Program is in fact good for welfare recipients, and is good for the taxpayers and citizens of this country.

Mr. MCCAIN. Madam President, I want to say to my friend from Nebraska that he makes a very strong and compelling argument and one that I can add very little to except perhaps to ask him a question about the issue that he referred to briefly about dignity.

I believe it when I hear the people who are on welfare—and the Governors I know feel this way—goes through the line at the grocery store and hand in a coupon has a certain loss of dignity. When one goes through that experience, people will look at that individual and the others will who are scanning what is being purchased. And certainly it is not an exercise in self-respect. I believe that alone, or that physical act alone, is depriving what

are trying to restore to all of our citizens; and, that is, dignity.

I wonder if the Senator from Nebraska had the same comment. Also, would the Senator elaborate as to why caseworkers, the people who are involved in this on a day-to-day basis, are advocating this flexibility? Because, clearly it makes their job a little bit more complicated than it would be just to issue coupons to people.

Mr. KERREY. I think the answer to the question, I say to my friend from Arizona, is all of us have had people come up to us. I dare say that there is not a Member of this body who has not had a citizen come up and, say, "You know, you have to do something about this Food Stamp Program. I see people in line in the grocery store. I see somebody doing this. Then they go out and get into a fancy Cadillac." That is the condemnation of the act of Lord knows. If that is being said to us, it is being said to the people who are using those food stamps, and they feel it. They know it. They do not like to stand in line knowing that the person behind them is making a negative judgment.

If somebody who occasionally goes to supermarkets and has a rather odd eating habit—I know I am sometimes a little embarrassed to have people look at the sort of things that are in my shopping cart, and I would not want to add to that knowing that they are saying, well, I am some sort of low life because I am exchanging this receipt. I think the public welfare people I think I know—understand that.

They understand, as well, I say to my friend from Arizona, that there is another element that is very important; that one of the things one has to do, as they are learning to live independent of welfare, is to budget their own income, budget whatever income they have. You do not budget food stamps. You can sort of allocate them somehow, but you do not budget them. Whereas, with cash, you budget that cash. So there is not only a question of dignity, I say to my friend from Arizona, but I also believe there is a question of acquiring the skills necessary in order to move out of welfare dependency.

Mr. MCCAIN. I thank my friend.

Madam President, I ask unanimous consent that Senators BOND and KASSEBAUM be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I ask unanimous consent that another letter from the National Governors Association and a letter from the National Association of Counties be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL GOVERNORS' ASSOCIATION,

Washington, DC, July 14, 1994.

DEAR SENATOR: We urge your support for the amendment that will be offered by Senator John McCain and Senator Bob Kerrey to H.R. 4554, FY 1995 appropriations for agriculture, nutrition and related programs. This amendment would strike from the bill a provision that would prohibit federal waivers to allow states to convert food stamp benefits to cash payments or to wage subsidies. Currently seven states have waivers pending and a number of other states are preparing waiver requests in this area (see attached list.)

The Governors believe this provision is antithetical to recent Congressional and administration proposals to increase state flexibility to reform welfare, empower recipients by increasing their personal responsibility and control, and create jobs for recipients through wage subsidies. Furthermore, we strongly object to such a significant shift in federal welfare policy being adopted without Congressional debate or discussion and in the context of a large appropriations bill. This issue should be addressed as part of a comprehensive debate on welfare reform.

We are also very concerned about the precedent that would be set by Congress acting to preempt state demonstration initiatives that already must undergo a rigorous screening process in the executive branch in order to be approved. Supporting the amendment to strike the provision from this bill would not mean that states would have carte blanche in this area. Rather it would simply mean that the administration would continue to have the discretion to approve waiver requests that it deemed worthwhile and to deny other requests. The existing provision would strip that discretionary authority from the administration.

Again, we ask for your support for continued state flexibility and executive branch discretion in this area. Please support the McCain-Kerrey amendment to strike the food stamp "cash out" provision when the appropriations bill comes to the Senate floor.

Sincerely,

Governor TOM CARPER,
Co-Chair, Welfare
Reform Leadership Team,
Governor JOHN ENGLER,
Co-Chair, Welfare
Reform Leadership Team.

LIST OF STATES IMPLEMENTING OR PROPOSING CONVERSION OF FOOD STAMP BENEFITS TO WAGE SUBSIDIES OR CASH BENEFITS

All of these states would be affected by a ban on food stamp conversion waivers because even those that already have waivers approved would be barred from renewing or expanding the scope of those waivers. Six states are currently operating food stamp conversion programs, which in total affect about one percent of all food stamp recipients nationally. Seven states have waivers pending.

Alabama (implemented).
Arizona (proposed).
California (implemented).
Colorado (implemented).
Maryland (waiver pending).
Michigan (waiver pending).
Minnesota (implemented).
Mississippi (waiver pending).
Missouri (waiver approved, not yet implemented).
Montana (waiver pending).
Nebraska (proposed).
New York (implemented).

North Dakota (proposed).
Ohio (waiver pending).
Oregon (waiver pending).
Pennsylvania (waiver pending).
Rhode Island (proposed).
Utah (implemented).
Vermont (waiver denied).
Virginia (waiver denied).
West Virginia (proposed).
Wisconsin (waiver approved, not yet implemented).

NATIONAL ASSOCIATION OF COUNTIES,
July 18, 1994.

Hon. JOHN MCCAIN,
Senate Russell Office Bldg.,
U.S. Senate, Washington, DC.

DEAR SENATOR MCCAIN: Counties have been in the forefront of welfare reform efforts, and many of these efforts include food stamp conversion demonstrations as an integral component. The ability to receive food stamp benefits as either a check or as a wage subsidy gives low-income working families more flexibility over their budget, encourages personal responsibility, and provides an incentive to employ welfare recipients.

Research shows that the demonstration programs have not changed the availability or adequacy of food. In survey of demonstration counties in Alabama, for example, 80% of the families reported that they had enough to eat every month, and the percentage that reported running out of food resources was the same as in those counties that were using food coupons. In another demonstration, families using the cash system were found to be getting a better value for their food expenditures than families using coupons.

For these reasons, the National Association of Counties (NACo) strongly supports the amendment you plan to offer to the Agriculture Appropriations bill that will strike the prohibition on new waivers to convert food stamps to cash benefits or wage subsidies. I am enclosing a copy of NACo's policy supporting the food stamp cash out.

Sincerely,

LARRY NAAKE,
Executive Director.

RESOLUTION ON FOOD STAMP IMPROVEMENTS

Whereas, the Food Stamp Program was established to assist low-income households in purchasing nutritious food; and

Whereas, the 1990 reauthorization of the program did not contain major program improvements; and

Whereas, NACo continues to work with other government and interest groups to recommend improvements in the program; Therefore, be it

Resolved, That NACo supports legislation to simplify Food Stamp Program administration and to remove barriers to participation; and alignment of Food Stamp Regulations with AFDC; standardized benefits; eliminate client-cause underissuance errors and error rates; cash out food stamp; standard shelter allowance; and use of electronic benefit transfers (EBT) including no interruption in approving EBT projects.

Adopted July 16, 1991.

Mr. MCCAIN. Briefly, I would like to quote from the National Governors Association letter. It says:

The Governors believe this provision is antithetical to recent Congressional and administration proposals to increase State flexibility to reform welfare, empower recipients by increasing their personal responsibility and control, and create jobs for recipients through wage subsidies. Furthermore,

we strongly object to such a significant shift in Federal welfare policy being adopted without Congressional debate or discussion and in the context of a large appropriations bill. This issue should be addressed as part of a comprehensive debate on welfare reform.

We are also very concerned about the precedent that would be set by Congress acting to preempt State demonstration initiatives that already must undergo a rigorous screening process in the executive branch in order to be approved. Supporting the amendment to strike the provision from this bill would not mean that States would have carte blanche in this area. Rather it would simply mean that the administration would continue to have a discretion to approve waiver requests that it deemed worthwhile and to deny other requests. The existing provision would strip that discretionary authority from the administration.

Madam President, the National Association of Counties has said in their letter:

Counties have been in the forefront of welfare reform efforts, and many of these efforts include food stamp conversion demonstrations as an integral component. The ability to receive food stamp benefits as either a check or as a wage subsidy gives low-income working families more flexibility over their budgets, encourages personal responsibility, and provides an incentive to employ welfare recipients.

For these reasons, the National Association of Counties strongly supports the amendment you plan to offer to the Agriculture Appropriations bill that will strike the prohibition on new waivers to convert food stamps to cash benefits or wage subsidies.

Mr. PACKWOOD. Madam President, I rise today as a cosponsor of Senator MCCAIN's amendment to strike the provision restricting the ability of the administration to grant Federal welfare waivers dealing with food stamp cashouts. This type of restriction binds not only the administration's hands, but the States hands as well.

States are the laboratories of the Nation. It is the States where innovative ideas are found. States know what their residents need better than anyone else. They also know what will work and what won't work.

My State of Oregon is one of the most successful States when it comes to welfare reform because it has been given the flexibility to try new, innovative ideas. Let me mention just a few things Oregon has been able to accomplish because they have been given waivers in the past.

Oregon is the only Western State to see a reduction in its welfare caseload. This is not because of declining need but because the State has acted aggressively to provide its residents with the ability to train and find a job so that they are no longer dependent on the Government. Oregon has a 31-percent participation rate in job training, twice the Federal requirement. Not only is Oregon one of the few States which has drawn down its full share of Federal matching dollars, it has contributed an additional \$10 million of its own money. This is the kind of thing

that we, the Government should be promoting, not restricting and limiting.

Oregon has continued its search to help welfare recipients by applying for a waiver that would combine a recipients food stamps and AFDC money and use the money to subsidize a private sector job. While no recipient will receive less than they would have on welfare, many will receive more.

While Oregon has already received approval for the agriculture portion of its waiver, it is still waiting for approval by the Department of Health and Human Services.

So, while this provision will not hurt Oregon, I feel it sets a dangerous precedent. States deserve the chance to test what programs are effective in their States. Provisions like this bind the States ability to attempt programs that foster independence from the welfare system.

Madam President, I am somewhat caught between applauding and criticizing the administration. While I applaud the administration for saying they support State flexibility and State innovation, I am afraid their words haven't translated into action.

Oregon has been waiting approval for its waiver for over 8 months. I have received numerous assurances that the administration is looking at the waiver and is finalizing details. A few weeks ago, President Clinton wrote me a letter about Oregon's waiver. In the letter he says he is pleased to report that Oregon's waiver request is in the final stages and the details of Oregon's waiver will be finished in a few weeks. Well, that letter was dated July 1, 1994 so I guess he has just under a week to deliver.

States, like Oregon, which strive to make the system work better should be applauded and not bound by endless delays and restrictions by the Federal Government.

Mr. MCCAIN. Madam President, I am aware, because I have been briefed, that there is a technical change needed in the amendment. I send a modification to the desk and ask unanimous consent that the amendment be so modified.

The PRESIDING OFFICER. Without objection, the amendment will be so modified.

The amendment (No. 2305) as modified, is as follows:

On page 64, lines 2-6, strike the following: "Provided further, That no funds provided herein shall be available to provide food assistance in cash in any county not covered by a demonstration project that received final approval from the Secretary on or before July 1, 1994."

Mr. MCCAIN. Madam President, I have been briefed that now the opponents of this amendment will come forward with studies, with inside-the-beltway reports, with the certain knowledge that those who dwell and work in-

side the beltway, and very seldom have encounters with people who are out there on the day-to-day basis trying to struggle out of welfare, and who have enormously benefited in 6 States, and if allowed to do so, in 13 more will benefit from it.

I think the issue is clear here. Whether the States should have the flexibility to do what they think is best for their people in their States—and in this case the respective counties—or whether we will again bow to the universal and omniscient knowledge of those who dwell and live here in the policymaking, rarefied environment of our Nation's capital. I think the issue is clear, and I suggest that the trend in America is certainly to allow Governors, counties, cities, and States, the flexibility to do what they think is best with their tax dollars, which they send to Washington and are sent back to them. So I urge the adoption of the amendment.

Madam President, I yield the floor.

Mr. COCHRAN. Madam President, I support the McCain amendment. It seems to me that a review of the language in the bill before the Senate shows that the House language that was inserted when the committee in the other body had this measure before it would most likely affect only those applications for waivers that are now pending before the Department of Agriculture. Prior to the July 1, 1994 cutoff date in the House provision, there were several States which had passed legislation to experiment with welfare reform initiatives. And their applications for waivers of the food stamp law, insofar as it would permit a cash-out of the food stamp benefit to accommodate these welfare reform initiatives, had been submitted to the Department of Agriculture. Those States included Maryland, Michigan, Mississippi, Montana, Ohio, Oregon and Pennsylvania.

The distinguished Senator from Arizona, in his statement in support of his amendment, mentioned several other States that had undertaken welfare reform initiatives, and there are many others which have. But insofar as the language of this provision in the bill is concerned it primarily affects pending waiver requests. It would probably not affect the welfare reform initiatives of those States which have not yet submitted waiver applications. The language of the bill simply prohibits the use of any funds appropriated in this act for the purpose of granting any waiver that did not receive final approval by the Department of Agriculture on or before July 1, 1994. It would not prohibit States from submitting waiver applications or the Department of Agriculture from considering these applications. It would simply prohibit the Secretary from finalizing waiver requests.

One other thing that ought to be noted in this connection is that whatever provision is approved in conference, or in the final version of the bill, would have effect only during the next fiscal year. So this prohibition has a life of only 1 year. It is an annual appropriations bill, so it is not a permanent change in the law.

So what the House language would do would be only to suspend the power of the Department of Agriculture to provide waivers in response to requests for waivers that are now pending at the Department. One other observation is that one State whose waiver application was pending has now been approved. The State of Oregon's application for a waiver of this provision was approved by the Secretary of Agriculture on July 1 of this year. So it is no longer pending. And any prohibition would not affect the waiver application of the State of Oregon.

Having said those things, I want to concur with the remarks of the Senator from Arizona insofar as they relate to the importance of the Congress to go on record as encouraging welfare reform initiatives on the part of the States. As a matter of fact, the administration has stated that it is one of the goals of the administration to end welfare as we know it, and there are proposals for welfare reform initiatives that are being discussed and introduced in both Houses of the Congress.

What this relates to is simply preserving the powers that the States now have to petition the Federal Government for waivers of certain provisions of Federal law to permit them to have demonstration projects, embark upon pilot programs to see how initiatives at the State and local level will work, to try to bring a greater degree of individual responsibility or help establish self-sufficiency, all of which are worthy goals. And a bipartisan leadership here in the Congress as well as the administration seems to support those goals.

One letter that I received is from the American Public Welfare Association asking for an amendment of this kind so that States can continue to consider and embark upon initiatives that are designed to achieve these goals. The letter is dated July 6, and it is signed by Sidney Johnson III, executive director of the American Public Welfare Association.

I ask unanimous consent that the text of the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN PUBLIC WELFARE
ASSOCIATION,
Washington, DC, July 6, 1994.

DEAR SENATOR: I write today to ask your urgent support for a legislative change that is vital to the continued success of state innovations in reforming welfare and moving low-income families toward self-sufficiency.

The House and Senate Agriculture Appropriations bills contain language in Title IV, "Food Stamp Program," that would prohibit any future demonstration projects to "cash out" food stamps. The Senate bill is likely to come up for a floor vote in the immediate future. I urge you to introduce an amendment to remove this language so that states can continue to go forward with innovative welfare reforms.

State human service agencies have long been leaders in the effort to transform the focus of public assistance. One of their chief means in recent years has been the flexibility allowed them under current law to develop welfare-to-work demonstrations, including those where food stamps are provided in cash so that a portion of that benefit can be utilized as a wage subsidy. States' ability to carry out these important demonstrations has had strong bipartisan support. To hamper this ability will severely limit state options to design effective welfare reform programs and will send a negative message about the willingness of Congress to support further waivers and demonstrations.

The Department of Agriculture has approved food stamp cash out demonstrations only on a very careful and limited basis, and only with safeguards to assure that the basic character of the Food Stamp Program remains intact.

If I can assist you in any way please contact me at once at (202) 682-0100.

Best regards,

A. SIDNEY JOHNSON III,
Executive Director.

In part the letter says:

I write today to ask your urgent support for a legislative change that is vital to the continued success of State innovations in reforming welfare and moving low-income families towards self-sufficiency.

The letter further states that:

One of their chief means in recent years has been the flexibility allowed the States to develop welfare-to-work demonstrations, including those where food stamps are provided in cash so that a portion of that benefit can be utilized as a wage subsidy.

That is one of the reasons waivers are requested. As in the case in our State, the welfare reform initiative, which is pending now for review before the Department of Agriculture and the Department of Health and Human Services, utilizes that as one of the key elements.

So if the Congress legislates away the right to get a waiver if the waiver is otherwise appropriate to be granted by the Department, then it has severely and adversely affected the ability of our State to proceed in the way the State legislature has already determined would be appropriate. And the same is true not only in our State of Mississippi, but in these other States: Maryland, Michigan, Montana, Ohio, and Pennsylvania. So it is these States that are most seriously affected unless we do act to approve this amendment.

In most cases, the States have done a great deal of research, bringing in all the interests which are involved, those who are advocates of the welfare recipient's rights, to try to make sure that those rights are protected. And a

great deal of work has gone into, I know, the development of the proposal in our State.

This amendment, if it is enacted, will not require the Department of Agriculture to approve any waiver. And that point ought to be made very clear. We are not trying to substitute the decision of the Congress or the Senate and say to the Department of Agriculture, "You must approve each application for a waiver you receive." That is not what this amendment does.

It simply permits, under current law, the Department to exercise its discretion within the parameters of the law as it exists now. Right now the Department of Agriculture has to review these applications and so does the Department of Health and Human Services. This amendment does not direct or mandate that they do anything. It simply permits current law to continue in force and effect.

The Food Stamp Act provides that certain conditions have to be met before any waiver can be approved. What the House committee did was put language in the bill that suspends the power of the Department to make that kind of determination. It, in effect, repealed for this next fiscal year the power of the Department to make any waivers.

We have heard about how legislation can be included in appropriations bills when you do not have hearings and you do not have debate of the issue. This is an unfortunate way to legislate. Well, my view is, here is a clear and classic example of legislation without the benefit of the usual processes being followed.

The House has sent that bill over here, and it is contained in the bill as it is now pending in the Senate, and that is why we are seeking to amend it, and this amendment would amend it. We hope the Senate will go along with it.

To clarify the record in our State of Mississippi and its common causes with a waiver possibility, I ask unanimous consent, Madam President, to have printed in the RECORD letters addressed to the Mississippi Department of Human Services and to the Governor of Mississippi by both the Department of Agriculture and the Department of Health and Human Services.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, March 1, 1994.

MR. GREGG A. PHILLIPS,
Executive Director, Mississippi Department of Human Services, Jackson, MI.

DEAR MR. PHILLIPS: We have received your application for waivers under Section 17(b) of the Food Stamp Act of 1977, as amended, for the Work First Demonstration Project. We support your goal of promoting the self-sufficiency of Mississippi's welfare and food stamp recipients, and are very interested in

providing whatever support we can to the Work First Demonstration Project, while ensuring the provision of food assistance to the needy.

As proposed, funds normally used to issue Aid to Families with Dependent Children (AFDC) benefits and food stamps will instead reimburse employers for wages paid to Work First participants employed in on-the-job training positions in the six demonstration counties.

The Department of Agriculture approves, in concept, your proposal to use food stamp benefits for wage supplementation, under the conditions set forth below.

The proposal must be consistent with our goals of advancing self-sufficiency, achieving nationwide Electronic Benefits Transfer (EBT), and promoting nutritional education. To these ends the State would be expected to take immediate action to ensure that EBT is implemented concurrently with the proposed demonstration for those food stamp recipients not enrolled in wage-supplemented jobs. In addition, since studies have shown a reduction in food expenditures under cash out, a nutrition education component would be required to help ensure that nutritional status would not be eroded by the conversion of benefits into cash.

As always, a rigorous evaluation of the demonstration would be required to test the effects of the approved waivers on the demonstration participants.

The Food Stamp Act, Section 17(b), requires that the food stamp allotment, if issued in cash, must be increased to compensate for any State or local sales tax on food, and that the State agency pay for the increase. The State must provide written assurances that it will compensate Work First wage supplementation participation for the 7 percent Mississippi sales tax on food purchases, as well as provide an analysis of how it intends to go about paying that compensation.

We believe the State intends that the cash benefit, which will be channeled through the employer to the Work First participant as wages, will count toward eligibility for the Earned Income Tax Credit (EITC). The Food Stamp Act provides that "the value of benefits . . . whether through coupons, access devices, or otherwise shall not be considered income or resources for any purpose under any Federal, State, or local laws, including, but not limited to, laws relating to taxation . . ." We are currently exploring the taxation issue and whether or not the EITC is applicable to Federal benefits issued in the form of cash or wages. We will inform you as soon as these issues are resolved.

The State is proposing to guarantee eligibility and benefit levels for Work First participants, for as long as they participate in the demonstration, to minimize contact between the participant and the welfare office in order to emphasize the employer/employee relationship, and to assure that the training period will not be interrupted, while we certainly support strengthening the self-sufficiency and work awareness of Work First households, we cannot endorse a situation in which a household's income is allowed to grossly exceed eligibility limits. We intend to negotiate further in order to provide flexibility for continued eligibility, within agreed upon income limits.

We are willing to waive claims collections against households participating in the demonstration, except for fraud claims.

The proposal to immediately suspend the household benefits of participants who do not accept offered jobs is contrary to the

Food Stamp Act. We do not have the authority to materially impair any statutory or regulatory rights of food stamp recipients or to lower or further restrict their benefit levels without due process. The State should explore alternative actions.

The State intends to issue food stamp benefits to cash form to Supplemental Security Income (SSI) recipients in the six demonstration counties. We do not believe that cash out for SSI recipients has any direct relationship to the State's welfare reform self-sufficiency plan and will not approve this aspect of the State's proposal.

This is not an official approval letter. We are currently reviewing the waiver requests contained in your proposal and expect to act on them as quickly as possible. Future correspondence will be forwarded as part of the Department of Health and Human Services' established welfare reform review process. If you have any questions or comments, please call Ellen Henigan, of the Food Stamp Program, at (703) 305-2519.

Sincerely,

ELLEN HAAS,
Assistant Secretary for
Food and Consumer Services.

THE SECRETARY OF HEALTH AND
HUMAN SERVICES,
Washington, DC, July 14, 1994.

Hon. KIRK FORDICE,
Governor of Mississippi, Jackson, MS

DEAR GOVERNOR FORDICE: Since the beginning of his Administration, President Clinton has been committed to a close partnership with the nation's Governors and to allowing states the flexibility to develop and test innovative change to their health and welfare programs. The Department of Health and Human Services has worked very hard to foster this intergovernmental relationship and has worked closely with the National Governors' Association in developing a more efficient and timely process for evaluating state proposals for health care and welfare reform experiments. Many states, including yours, have submitted waiver requests that are being evaluated under our new waiver review procedures.

As we have implemented our streamlined review procedures, the number of state demonstration requests have increased significantly. We are committed, however, to continue responding to these requests as quickly as possible, while maintaining the integrity and thoroughness of the review process.

I would like to take this opportunity to update you on the status of your state's waiver request for the New Direction Demonstration Program. The Administration for Children and Families has been working with the Mississippi Department of Human Resources (DHR) to resolve issues and concerns based on a federal review of the waiver application. A significant issue has arisen in Congress regarding the federal funding of Food Stamp cash-outs in state demonstrations. Until Congress resolves this question, we will continue to work with you to address other non-Food Stamp cash-out issues.

If you have any questions about our process or about the status of your waiver proposal, please do not hesitate to contact me or have your staff call John Monahan, Director of Intergovernmental Affairs, at (202) 690-6060 or Ann Rosewater, ACF, at (202) 401-5180.

Sincerely,

DONNA E. SHALALA.

Mr. BUMPERS addressed the Chair.
The PRESIDING OFFICER (Mrs. BOXER). The Senator from Arkansas.

Mr. BUMPERS. Madam President, I am really saddened that this amend-

ment has been offered. I could not disagree with it more strongly.

The House had a provision in their bill that said any State that has not been approved for this program by July 1, 1994, will not be eligible for it. Now, the House did not do that whimsically. They did it because they studied the issue very carefully and said, "This program is not working. Let's don't go any further with it."

It is true, as the proponents of the amendment have said, the Department of Agriculture has discretion. Any State that wants to can submit an application for the so-called cash-out program.

Now, let me tell you what it is. I have heard three speeches so far this morning, but I have not heard anybody describe what it is. Here is what it is.

It says that instead of the Federal Government sending the States money which they will use to provide eligible people with food stamps, we will send the money to the States, and the States, instead of sending food stamps, will send the cash to those eligible people.

You will hear people say, "Well, this is a great idea, because it removes the stigma of food stamps."

Let me tell you what study after study after study has shown. It shows that when you give people money instead of food stamps, their purchases of food drop 20 percent. One of the reasons it drops is because they spend the money on other things.

Now, Madam President, we should make one thing crystal clear. What is the purpose of food stamps? Why did we adopt a food stamp program 25 years ago? Because the U.S. Congress, overwhelmingly supported by the American people, said, "We do not want to see hungry children. We do not want to see anybody hungry, but we especially do not want children to go hungry."

So, after all of these years of sending food stamps to people so that they could redeem them at the grocery store for nutritious food for their children, we are going to send them money.

I am not suggesting just because somebody is on food stamps they are going to buy dope, but if they want to, they can.

In one demonstration, I believe it was Alabama or Florida—or both—it showed conclusively that sales in grocery stores that did an inordinate amount of business in food stamps declined precipitously because people were spending for other things the money that we intended for food for their children.

The Senator from Nebraska said, "Give them a choice. If they want to spend it on education, let them." This is not an education program, it is a nutrition program. God knows we spend billions on student loans; elementary/secondary education; chapter 11 for poor children. We have education programs galore for poor people. This is a

food program. It is not for education. It is not for rent. It is not for car payments. It is not to pay utility bills. It is to make sure people eat.

Do you know what else the studies show? Not only do they show that these people are using money, cash, for things other than nutritious food, they also show that after 2 weeks the long line at the TEFAP center, which provides emergency food, begins to appear. They run out of food in 2 weeks and then they go to where they are giving out free commodities and say, "My children are hungry."

In two or three of the States where this cash-out program has gone into effect, the demand for free commodities doubled, according to TEFAP officials. The Senator from Arizona ridiculed the studies. But if you do not use GAO, the Congressional Budget Office, or other people who know a lot more about the subject than we do, we are just flying by the seat of our pants.

The studies also show that food stamp recipients buy twice as much nutritious food with a dollar as the low-income households who are not eligible for food stamps buy with that same dollar. The program is doing what it is intended to do—provide nutritious food to the needy.

Talk about welfare reform—with this program, you are going backwards. There is no welfare reform in sending people money. If you want to talk about what taxpayers like and what they do not like; they do not mind seeing poor people get food stamps, knowing they can feed their children. What they object to is sending them a check. They do not like that.

Some people say, "Well, it removes the stigma of food stamps." I recognize that may be a small problem. I do not denigrate it. We have a reform program in the works on food stamps. Do you know what it is? Put a credit card reader in every grocery store and send that food stamp beneficiary a credit card every month. If a recipient is eligible for \$200, he can use the card up to \$200. This system takes a lot of the administrative burden off the States. It shows the balance in an account every time the card is used. I do not even get that on my Visa card. I just hope I do not run over. I have done that once and it is pretty embarrassing, is it not, for the waitress or waiter to come back and say, "You've exceeded your balance."

But let me tell you some other things that people do not think about on this. In my State, where the sales tax is almost 5 percent, food is not excluded. If you buy food with food stamps, you pay no sales tax. If you buy food with cash, you pay 5 percent in sales taxes. So recipients lose in States where they charge sales tax on food. Of course Governors love it. If you send \$100 million into a State and if it all goes for food, the increase in sales tax revenues is like a bird nest on the ground.

I used to be a Governor, Madam President. We would go to those Governors conferences, and we would draft those long resolutions telling Congress how to run its business. We would all get up and we would rail against Congress and we would rail against Washington, and we would talk about "inside the beltway." Some of it was legitimate. Some of it was pure politics.

The Senator from Nebraska said the program is mismanaged. If it is, it is the States who are doing the mismanagement. All we do is send them the money. They are the ones who manage the program. If there is fraud in it, look to the States.

In San Diego, which has this cash-out program, two out of every five people who cashed a check had to pay to get their checks cashed. So they pay to get their checks cashed, they pay sales tax, and then we hope they are not buying crack with the rest of it.

Madam President, let me just list some objections to the program: sales tax on food purchases; check-cashing fees; nutrition going down as much as 20 percent in families where they get money instead of food stamps; the TEFAP Program being overrun with people by the first of the month because people have spent their money and they do not have any food in the house.

You tell me: Why are we doing this? I will tell you why: because of a resolution the Nation's Governors passed. Ask some of the proponents, and they will say, "Well, my Governor called me." I have a great Governor and I listen to him. But if he would call me about this, I would disagree with him.

There are about eight States who have applications pending to implement the cash-out program. Our bill says you cannot grant those applications because the studies show conclusively, as I have just pointed out, it is not a good idea.

I think the idea of using a credit card for food purchases is a good idea. But I am not wedded to that. I am not going to swear even that is a great idea because there may be some hidden problems in it that I cannot think of right now. But I can tell you this cash out is a bad idea. It is regressive. And you are going to lose support in this Nation for the whole food stamp program by canceling out food stamps and giving people money to spend for whatever they want.

You cannot think of a single condition that poor people regularly experience that Congress does not try to address. We have Medicaid health care for the poorest of the poor. We have low-rent housing for people who cannot afford rent. We have low-cost housing for people who cannot afford a big down payment to buy a house. We have AFDC payments for poor women who have children. We have the WIC Program for poor pregnant women to

make sure they get a nutritious diet when they are pregnant, the greatest cost/benefit of any program we have. If you give a pregnant woman a decent diet, she is much more likely to have a baby with a lot more brain cells than the pregnant mother who does not get a decent diet. And she is more likely to have a healthy baby instead of a defective baby who could cost us \$5 million over the life of that child.

All I am saying is, that when people say, give these people an option, let them spend the money for whatever they want, my response is what is more important than a healthy child who goes to school well-nourished and ready to learn?

If you really care about children getting a nutritious diet and growing up, maybe deprived culturally and socially but at least not nutritionally, oppose the amendment of the Senator from Arizona and the Senator from Nebraska. I promise, we are going to regret it if we adopt this amendment. We may do it, but I am not going to vote for it. I think it is a disaster in the making.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BUMPERS. Will the Senator yield for just a moment?

Mr. BOND. I will be happy to yield to the chairman.

Mr. BUMPERS. Madam President, I ask unanimous consent that the vote on this amendment occur immediately following the vote at 2:30 on the first committee amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LEAHY. Will the Senator from Missouri yield for one other question?

The PRESIDING OFFICER. Will the Senator yield to the Senator from Vermont?

Mr. BOND. I yield for a question.

Mr. LEAHY. If I can ask a question of the floor manager—it will be a very brief one—if I can have the attention of the floor manager, Madam President, would it be possible—the Senator from Indiana, the ranking member of the Agriculture Committee is also here—would there be a time possible to offer an amendment which we have that will be done under a very short time agreement, but there is a point at which we can do that before lunch?

Mr. BUMPERS. Is the Senator talking about a second-degree amendment or a separate amendment?

Mr. LEAHY. A separate amendment.

Mr. BUMPERS. I cannot vouch for that. I do not want to cut off debate. I know the Senator from Texas wishes to speak on an unrelated subject. I assume the Senator from Indiana and the Senator from Missouri wish to speak on this amendment. Does the Senator wish to speak on this amendment?

Mr. LUGAR. On the Leahy amendment.

Mr. BUMPERS. On the amendment he is referring to.

Mr. LUGAR. Right.

Mr. LEAHY. If we can have an agreement to go before noontime, we can complete it for before the conference.

Mr. COCHRAN. If the Senator will yield, I am told on our side there is a possible second-degree amendment to the Leahy amendment. There is opposition to it. I would not be in a position to recommend that we accept the amendment. So that may keep it from being processed as quickly as the chairman might like.

Mr. GRAMM. Will the Senator from Missouri yield?

Mr. BOND. I will be happy to yield to straighten out this procedural problem.

Mr. GRAMM. I was on the floor earlier. It is my desire to speak. I will be willing to step aside if this amendment could be presented and debated briefly for, say, 10 minutes so I might get the last 10 minutes of the session just to make a statement on an unrelated issue. That way this amendment could be raised; you could have the initial debate and then, after lunch, if someone wanted to come and offer a second-degree amendment, they could do it. If not, at that point, then it would be open for further debate. I will be glad to try to do that to help my colleagues.

The PRESIDING OFFICER. The Senator from Missouri has the floor.

Mr. BUMPERS. I am not at liberty to cut off debate. If the Senator will yield.

Mr. BOND. I yield to the chairman.

Mr. BUMPERS. I am not at liberty to stop debate on the Kerrey-McCain or McCain-Kerrey amendment. I will be happy to ask the distinguished ranking member of the subcommittee if he knows of any other speakers on that amendment. I am willing to move this show along. How long does the Senator from Missouri intend to take?

Mr. BOND. Madam President, I have less than 10 minutes to discuss the current amendment before us. Might I suggest to my colleagues that perhaps during my brief remarks, discussions can be held as to the appropriate means of handling the proposed amendments and the time agreement; then we would not have to take up the time of this Chamber as we discuss the procedural activities.

If I see no objection from the distinguished floor managers, I will proceed to address the amendment which is before us and one other for less than 10 minutes with the assurance that I should be finished by 11:45. And at that point, there should be time to straighten out any arrangements that are needed without taking up floor time.

Mr. BUMPERS. Madam President, I think the Senator from Missouri is probably on the right track. Let him commence and we will just see where we wind up on this. I do ask unanimous

consent that no second-degree amendments be in order on the McCain amendment.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. Reserving the right to object, Madam President.

The PRESIDING OFFICER. The Chair advises the McCain amendment is a motion to strike.

Mr. BUMPERS. That no amendments be in order to the language proposed to be stricken by Senator McCain. It is a committee amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from Missouri at last has the floor.

Mr. BOND. Madam President, I rise to speak, with great respect for my distinguished chairman of the Agriculture Appropriations Subcommittee. I join him in high commendation for the Women, Infants, and Children Feeding Program. His subcommittee has done an excellent job in providing assistance for that program.

I also share his enthusiasm for the experiments with food stamps to enable more efficient administrative handling. But as he himself said, we are not sure that that program is going to work properly. As a former Governor, as is my distinguished colleague from Arkansas, I believe that those experiments can best go on in the States. I, too, joined with the distinguished senior Senator from Arkansas when we were members of the National Governors' Association. We attacked the Congress and the Federal Government generally for being unwilling to allow State experimentation.

I made those speeches when I was a colleague of the distinguished senior Senator from Arkansas in the National Governors' Association; I was a colleague of the junior Senator from Arkansas when he was Governor, and I was a colleague of the President when he was a member of the National Governors' Association. Time after time after time, we emphasized that the people who carried out these programs, who had the responsibility for administering them at the State level, were often the ones who had the best ideas on how to improve the programs.

I have a quotation from a letter of the National Conference of State Legislatures from the former Governor of Arkansas, who is now our President, and the letter quotes him as saying that:

State and local governments should have more flexibility to design solutions to problems faced by citizens in this country without excessive micromanagement and unnecessary regulation from the Federal Government.

That is why I join in strong support of the McCain-Kerrey amendment, because we have found that by obtaining waivers from the Federal Government when it is the considered judgment of

the elected officials of the State that there are better ways to carry out the broad social policies encompassed in Federal legislation passed by Congress, we ought to try. The States may be right, the States may be wrong; but the best way to find out is to experiment.

I am also advised that waivers for food stamps now affect approximately 1 percent of the food stamps in the United States. One county in Missouri has been granted a waiver to use a cash-out of the food stamps in part as a means of getting welfare recipients off the rolls of welfare and into work.

One of the great disincentives that now exists for moving off welfare is the significant loss of benefits that occurs when someone takes a job.

Madam President, the objective of these programs—and there are many objectives—all come down to one thing: We want to make those families self-sufficient. We want to provide them the means and the encouragement and the incentives to get a job in the private sector so they can be working, productive providers for their families.

I happen to believe that one of the best ways to achieve those goals is to provide the States the flexibility. That is why the National Governors' Association has recently written saying that the McCain-Kerrey amendment is absolutely necessary to increase State flexibility to reform welfare, to empower recipients by increasing their personal responsibility and control, and to create jobs for recipients through wage subsidies. That is the whole purpose of this amendment.

The Food Stamp Program is not an end in itself. It is a means to an end, and that end is to encourage more families to get jobs, become economically productive, and to become good providers for their families.

I have recently introduced, with the distinguished Senator from Iowa [Mr. HARKIN], a welfare reform proposal built on successful State experiments in Utah, Iowa, and Missouri. Our welfare to self-sufficiency program requires that welfare recipients, AFDC recipients, sign agreements committing themselves to give good health care to their children—to take them for immunizations, to get them to the services they need, to provide training for the adults, and not only to take job searches but to take jobs.

One of the ways we would do this is by allowing the States, as a condition of the fulfillment of the agreement to take a job, to be able to cash-out the food stamps for a limited period of time so that the person who takes a job in the private sector would not be faced with a shock in the cut-off of existing benefits so their economic well-being would be lessened by taking a job.

Unfortunately, the language of the House denying the right of the Secretary of Agriculture, after due consideration of a State's request to grant a

cash-out of welfare, to grant a waiver, would be to limit the experimentation that is so necessary. Justice Douglas spoke of the States as being the laboratories for social experimentation, and I can tell you, Madam President, as I have had experience in State government and Washington, I will take my chances on the States making those experiments. Some may fail, yes, but some may show us the way to achieve the goals of family self-sufficiency and do a better job than our trying to mandate one size fits all.

Under the Food Stamp Program, the waivers are extremely important. As Governor of Missouri, I obtained a waiver for health care for Medicaid recipients in Jackson County. We went to a capitation program that turned out to be very successful, ensuring that people got primary and preventive care, got the better care in the less expensive settings in clinics and doctors' offices. This is just one example.

Now, my State, with a Democratic Governor, is pursuing reforms in welfare which include using the cash-out of food stamps to make sure that welfare recipients are no worse off. I do not believe it is wise at this point, as we are on the brink of some meaningful reforms of the welfare system, which everyone—Republican, Democrat, liberal, conservative, radical, and moderate—agrees I believe needs to be addressed, to put an end to the ability of the Secretary of Agriculture to grant the waivers as this provision in the bill would do.

I would thus argue very strongly that my colleagues should support the McCain-Kerrey amendment.

I will not be able to address this body prior to the vote on the Market Promotion Program. I wish to add my very strong support. The distinguished senior Senator from Mississippi, the ranking Republican on this measure, has already talked about MPP. This is a GATT legal program which has assisted us in increasing our exports of agriculture products. In 1987, U.S. red meat exports were \$1.4 billion. Thanks to the MPP, the export values in 1993 reached an all-time high of \$3.3 billion. In 1992, the equivalent of 1.9 million cattle were slaughtered and 5.8 percent of domestic beef production was shipped overseas.

I hope also my colleagues would support the Market Promotion Program.

It is with great respect for the chairman of the subcommittee that I disagree with him on the waivers. But having served as Governor, having known about the importance of developing programs through the people who are responsible on hand, on-site dealing one on one with the recipients, I believe we would be ill-advised to cut off the experimentation by putting on a blanket prohibition so that we could not expand from 1 to 2 percent of the food stamps now cashed out to experi-

ment with the cash out under the waivers granted by the Secretary of Agriculture.

I thank the Chair and I yield the floor.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Just a two-sentence statement.

Several Senators have alluded to the fact that exports went up by several billion dollars between two periods, 1988 to 1992 or 1986 to 1992. But the GAO report on the Market Promotion Program says there is absolutely no proof of any correlation between the Market Promotion Program and the increase in those exports.

Now, Madam President, I ask unanimous consent that the vote on or in relation to the McCain amendment occur immediately after the vote at 2:30 on the Bryan amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BUMPERS. Madam President, I ask unanimous consent that the Senator from Vermont [Mr. LEAHY], and the Senator from Indiana [Mr. LUGAR], have 20 minutes in which to present their amendment, after which the Senator from Texas [Mr. GRAMM], be recognized for 10 minutes to speak on an unrelated subject, after which the Leahy amendment will become the pending business until the hour of 2:15, at which time we go back on the Bryan amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BUMPERS. Madam President, I was incorrectly informed. It is not the Bryan amendment. It is the vote on the first committee amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I am very concerned about the amendment to strike language in this bill prohibiting further cash outs of food stamps. I support Senator BUMPERS on this issue—the Food Stamp Program should provide food to needy families—not cash.

Providing cash instead of coupons will increase the number of hungry children in America. Over 80 percent of food stamp benefits go to families with children. Providing cash undermines the character of food stamps as a nutrition program.

If taxpayers are going to spend money on the Food Stamp Program, they do not want to see families with hungry children lining up at TEFAP sites and soup kitchens—they expect the program to buy food.

Pilot projects have already tested the merits of food stamp cash out and they

have shown that the result is hunger. In Alabama, spending on food dropped almost 20 percent when recipients received cash instead of food stamps. In Washington State, households receiving cash instead of coupons used less food, and as a result had access to less protein and other key nutrients than did food stamps households.

Researchers found reductions in purchases of meat and meat alternatives, milk and other dairy products, vegetables and fruits, and grain products. Cash out does not just hurt needy families, it also hurts America's farmers and grocers.

In three of the four pilots conducted by USDA, households receiving cash instead of food stamps showed up more often at emergency feeding sites requesting government commodities. In one pilot, the proportion of households seeking emergency food through TEFAP was more than twice as high among households receiving cash than those receiving food stamps.

It is not the families who are at fault—the Food Stamp Program targets the neediest Americans. These families need money for shoes or clothing for their children, for rent or medical expenses, and for the hundreds of necessities of life.

However, the Food Stamp Program is designed to reduce hunger—its benefits are meant to be spent on food.

I am worried that food stamp cash out will leave poor families even poorer. I am worried that landlords will just raise rents, knowing that their tenants have additional cash. I want to stop further cash outs of the Food Stamp Program unless these projects are part of a comprehensive welfare reform effort handled in other legislation.

Many States are considering cashing out food stamps as part of a larger plan to move recipients off of welfare and into jobs. Very limited cash outs to permit a transition to employment, if designed properly, could be an effective part of welfare reform. But we should leave that to the larger discussion of welfare reform.

Congress needs to carefully look at this issue and determine if and when cash out should be allowed. In the meantime, I do not believe that any additional food stamp cash out waivers should be approved.

The more cash-out projects are approved, the more the Food Stamp Program loses its link to nutrition. That undermines the basic purpose of the program. The best way to ensure that food stamps are used by families to purchase food is to provide benefits as coupons, not cash. We should continue to do so.

I am also concerned that an amendment might be offered requiring food stamp recipients to participate in workfare programs. Such a policy would be misguided and wasteful.

States, and even counties, currently have the option to require food stamp recipients to work. They have had that option since the 1970's and in 1985 Federal reimbursements were increased as an added incentive. Yet only seven States choose to require food stamp recipients to work.

Twenty percent of food stamp households already work. And half of all food stamp recipients stay on for less than 6 months. Most able-bodied, nonworking food stamp recipients currently participate in job search activities through the Food Stamp Employment and Training Program.

States know that it is more effective for recipients to participate in job search activities than to simply work off their benefits. In fact, given how rapidly food stamp recipients find jobs on their own, requiring them to waste time in Workfare might actually keep them from finding real jobs and getting off food stamps. Workfare in the Food Stamp Program is now a State option. Most States opt out. We should not turn this option into one more Federal mandate imposed on States.

AMENDMENT NO. 2306

Mr. LEAHY. Madam President, now I would send an amendment to the desk on behalf of myself and Senator LUGAR to H.R. 4554, and I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Clerk will report.

The assistant legislation clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself and Mr. LUGAR, proposes an amendment numbered 2306:

The amendment is as follows:

At the end of the section of the bill entitled "Agricultural Research Service" add the following "Provided further, the Secretary may exercise his authority to close the research locations specified for closure in the President's 1995 budget."

AMENDMENT NO. 2307 TO AMENDMENT NO. 2306

Mr. LUGAR addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Madam President, I send to the desk a second-degree amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the second-degree amendment.

The assistant legislative clerk read as follows:

The Senator from Indiana [Mr. LUGAR] proposes an amendment numbered 2307 to amendment numbered 2306:

The amendment is as follows:

At the end of amendment add the following "for the Department of Agriculture."

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, for several years the Senator from Indiana

and I have been working on the fact that the Department of Agriculture needs to be both restructured and downsized. This has spanned two administrations, Republican and Democrat. The Senator from Indiana is recognized throughout the country as the leader in this regard.

Anybody who carries the roles that we have as the Democrat and Republican leader of the Agriculture Committee knows in just researching what we have to look at each year with the budget, this Department has grown way beyond what it should be, and the taxpayers are paying the price. This is not an era when 50 or 60 percent of the American people are in agriculture. It is 3 or 4 percent now. But the Department we had back when we were at 50 or 60 percent of America related to agriculture is a tiny fraction of the Department we have today with less than 5 percent related to it. And in fact, the Senate agrees with us on this. We had a major USDA reorganization bill before the Senate. It was in April. In fact, it was April 13. And it passed the roll-call vote 98 to 1. Some have said we are prepared to do deficit reduction in the abstract, and taxpayer increase spending in the specific. That sometimes is what is happening here. We have a bill that we are going to cut, again in the abstract, but second, because of the specific we want to stop the cuts.

The bill before us would keep open 10 of the 19 facilities the President said we could not afford. We are immediately moving to stop what we voted for in reorganization. The second is we say yes, but now we have all agreed in the abstract that we want to cut spending. The second we say in the specific we will cut it, we suddenly find, "whoops," cannot do that. You cannot have it both ways.

To keep these facilities open will cost the American taxpayer approximately \$17.5 million per year. If we cannot just cut 10 totally outdated research facilities, how are we ever going to cut into the \$300 billion-plus deficit? How are we going to make the \$3 billion in cuts which are necessary in the Department of Agriculture?

In fact, let me just give you one graphic example. Just one of the research facilities we are talking about cutting. One of the facilities the President proposes to close has five scientists. It has 89 separate buildings. Each scientist gets 18 buildings. It does not make any sense. It is one of the reasons it is on the hit list.

We are spending far more money to repair some of these worn out buildings than we are on research. If we are going to spend money, let us spend it on science and research. But what we are trying to do with this is get rid of the money we spend just on repairing and keeping open old buildings where we spend far more to do that than we do to do research. Many of these facili-

ties are underutilized, are falling apart, and are not equipped to carry out what we should do. If we spend a dollar on research, we are spending 50 cents just to keep the buildings from falling apart.

That does not make much sense at all. In fact, if anybody thinks it is a radical proposal, in 1988 we had the Users Advisory Board recommendation. This was set up by USDA representatives, not only researchers but people who use that research. And they recommend they close 20 of these facilities in fiscal year 1989, and 20 more in fiscal year 1990. What we are talking about is just closing half of those.

So I would hope that people are realizing we are trying to save money. The Senator from Indiana and I are not capriciously trying to see places close but we are trying to save billions of dollars in the USDA budget. Unless we are able to take these modest steps, Lord knows how we will ever take it seriously.

Mr. LUGAR addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Madam President, it is a privilege to join with the distinguished chairman of the Agriculture Committee, Senator LEAHY, in offering this amendment to make clear the right of the Secretary of Agriculture to close Federal agricultural research facilities that he has identified as low priority. The amendment is sound budgetary and scientific policy.

There has long been a recognition, as Senator LEAHY has pointed out, that we need to consolidate Federal agricultural research at fewer locations in order to prevent duplication of research and to make more effective use of the Agricultural Research Service's physical and human resources.

The Agriculture Committee heard testimony in support of such consolidation during the consideration of the 1990 farm bill. Under Secretary Madigan's direction, the Department of Agriculture in 1992 undertook an evaluation of ARS research facilities, considering such factors as the impact of research and the physical conditions of the facilities. Building on this initiative, Secretary Espy has now conducted an extensive analysis of ARS facilities which yielded a recommendation of closing 19 of those which he determined to be the lowest priority. According to the Department, the closures would avoid nearly \$20 million in major modernization costs at those locations.

(Mr. BREAUX assumed the Chair.)

Yet, the Senate Appropriations Committee report on the bill before us recommends the continued funding of 10 of those 19 facilities, a step that flies in the face of the proposal to reorganize and streamline the Department of Agriculture, which this body passed overwhelmingly by a vote of 98 to 1 just 3 months ago.

As one example, the committee report recommends continued funding for a facility which has been estimated would cost five times more to renovate than it receives in annual research funding from ARS.

Another example of a facility that would be continued is one that funds research in support of the blueberry and cranberry industries. And according to USDA, the original objectives of this research—breeding blueberries and reducing disease problems in blueberries and cranberries—have largely been met. Clearly, we have to do a better job of concentrating our research dollars on efforts of high priority, broader scope, and not duplicated by other ARS facilities. A vote for our amendment will help ensure that our limited research dollars are spent as responsibly and productively as possible.

Let me just point out for Members who have followed this debate that there are 120 ARS research facilities altogether. The Secretary of Agriculture has chosen to close 19, among the lowest priority of the 120. We are talking about substantial money. Closing the 10 facilities recommended for continuation in this bill could save \$7.5 million in direct costs. In addition, closing the facilities would result in the cost avoidance for routine operating costs, with a total of approximately \$50 million being saved over a 5-year period of time.

I suppose even more importantly, this is the first time that the body has had a chance to take hold of the recommendations made for reorganization. We voted 98 to 1 in behalf of Secretary Espy's plan. I would point out that implied in that plan is the potential closure of 1,200 to 1,300 field offices of various branches of the U.S. Department of Agriculture, out of over 7,000 that are out in the field.

President Clinton has counted on those savings in his budget submission. Vice President AL GORE in his "re-inventing" statement has counted on those savings already.

Mr. President, we come, however, to the moment of truth. And for some reason 10 of these agricultural research facilities reappear with Senators asserting that they must continue despite low priority by every criteria imaginable.

Selection by the two Secretaries, Madigan and Espy, has not been capricious. In fact, they have looked very carefully on point totals to try to take a look at precisely the services being offered, the costs of those services, the proximity of the users in this field, and in all other agricultural services.

But we finally come to the fact that the Nation wants some action on reorganization. As Senators consider this amendment, they must consider the fact that a vote to retain those 10 ARS stations is a vote to roll back reorga-

nization, to retain every single vestige of USDA activity, however low priority, however little warranted.

Mr. President, at this first instance, if we lose the battle on these 10 stations of negligible value, but with potentially \$50 million of cost savings, how in the world will the billions of dollars that are prophesied to come from savings in the USDA in the next 5 years ever occur? How can reinventing Government even start?

Mr. President, the amendment that Senator LEAHY and I have offered is modest. It says simply, give the Secretary the opportunity to close these 10 stations. He is not mandated to do that, but he almost has to in order to fulfill the budget of his President and the dictates of this Senate. Mr. President, to roll that back means an unraveling that is very serious. And that is why the distinguished chairman and I take time to make this point as clearly as we can.

A vote for the Leahy-Lugar amendment is a vote for a beginning of organization of the USDA in a more modern form, consistent with what taxpayers want. A vote against our amendment is to continue business in the same old way: spending money willy-nilly because a few Senators have come on the floor and said "save our station," whatever is occurring out there, how negligible the efforts, how incidental the situation.

That kind of sloppiness will not work. Mr. President, a vote for this amendment, I believe, is imperative for those who really want reinvention of Government, a sound budget, as well as more solid agricultural research.

I yield the floor.

Mr. JOHNSTON. Mr. President, I strongly support the committee's recommendation to restore funds for the Houma, LA, Sugarcane Research Station and several other agricultural research service facilities.

When the fiscal year 1995 budget proposal was submitted, for obvious reasons I paid close attention to the proposal to eliminate funding for the Houma Sugarcane Research Unit. This spring, I posed several questions to ARS in the subcommittee's hearings on this proposal and was told that the criteria used to select facilities for closure included:

Such factors as location research mission and completion of original research objectives, magnitude of industry problems requiring additional research, and age and condition of facilities.

As to the first criterion, the mission of the Houma Sugarcane Research Unit which was established in 1924 is to conduct basic and applied research to increase sugarcane production efficiency. This research is not complete, and is even more important now in the new global environment Louisiana's sugar producers are facing in light of NAFTA, and under the proposed GATT

agreement. Ongoing programs include the development of improved sugarcane germplasm and cultivars—varieties—to combine high yield of sugarcane per unit area and sugar per ton of cane, with pest resistance, cold tolerance, stubble longevity, and suitability to mechanical harvesting. The Houma unit is the largest of USDA's 3 mainland facilities which conduct this research; the only USDA scientists working in sugarcane cytology—the study of the formation, structure, and function of cells—are assigned to the Houma unit, as are the only USDA weed-control scientists working in cane.

Variety development is particularly critical. All varieties eventually suffer from yield decline and most of major importance peak in acreage before 10 years of age. The two varieties used in some 75 percent of the sugar acreage in Louisiana today were released in 1973 and 1978 and are among the oldest varieties being grown. They are already past their peak and it is critical that new varieties be released soon for the industry to survive. The varieties produced in Houma are also used in Texas and provide breeding material for other domestic and international sugar industries located in more tropical areas. These areas have distinct soil and climatic conditions and are not now served by the other USDA facilities.

In addition, the Houma station is developing environmentally sound, integrated sugarcane production systems using cultural practices and improved weed, disease, and insect control methods. The emphasis at Houma is on research using cultural and biological measures as alternatives to chemical controls—which is important to production throughout the United States and to the American public generally. Very little weed control research is performed at either the Florida or Texas stations, although information developed at Houma has been modified to fit the different weed spectra and growing conditions in both Texas and Florida.

As to the magnitude of problems facing the sugar industry, these problems have been intensified as a result of new global trading arrangements. The passage of NAFTA last year, and the possibility of a new GATT arrangement soon, have made it more imperative than ever that we renew our efforts to increase production efficiency to compete with other nations which have lower wage rates, lower environmental standards, and lower, less costly, worker protection laws. Dismantling the Houma station would severely hamper efforts to increase production efficiency and enable U.S. producers in Louisiana and elsewhere to compete in this global setting.

I was surprised to discover that no attention was paid by the Department to contributions by industry or States

to the ARS facilities. Louisiana contributes over \$170,000 to the Houma research efforts and in addition has provided at no cost 107 acres of land for additional research property near Houma and 300 acres offstation for experiments under commercial production practices along with the equipment, supplies, and labor for these offstation efforts. This public-private partnership developed as a result of the location of an ARS sugar research facility in Louisiana.

Nationwide, the U.S. sugarcane industry generates approximately \$2 billion annually in direct sales, with an economic value to the four cane-producing States of around \$6 billion. In Louisiana, cane is grown in some 19 parishes in Louisiana, and in many of these there are not feasible or suitable alternatives. Cane is an important part of my State's economy, and is especially important to south Louisiana. The future health of this important part of our economy depends on a strong research program, which would be placed at risk if the Houma facility were closed. Obviously, this could have negative economic impacts in the future.

I urge that the amendments by the Senators from Indiana and Vermont be rejected, and that the committee amendment be approved.

Mr. SASSER. Mr. President, I oppose the Leahy/Lugar amendment because I know it will eliminate research efforts that are extremely important to not only my State of Tennessee, but to States throughout the Southeast. You see, Mr. President, nematology research and screening conducted at the West Tennessee Research Station in Jackson, TN, is aimed at solving the No. 1 problem for soybean producers in all Southeastern States—damage from the soybean cyst nematode.

The soybean cyst nematode is, in fact, the most serious soybean pest in the entire country. I have heard from quite a number of soybean producers who have stressed to me the importance of controlling this highly destructive pest. Soybean cyst nematodes cause millions of dollars in soybean yield losses each year and yet the cost of the Federal nematology program is a very modest \$164,000.

Among other things, the West Tennessee Research Station of the Agricultural Research Service is working to develop a cyst nematode resistant variety of soybean. Researchers at Jackson are participating in a national project on molecular mapping and diagnostic probes for soybean cyst nematode resistant genes. The benefit-to-cost ratio of this research is estimated at 300-to-1. Clearly, this is a sound investment in our future food-producing capability.

The research done at the Jackson research station is used in southern soybean producing States by both private

and public institutions. I believe it would be penny wise and pound foolish to eliminate this vital research.

Mr. LAUTENBERG. Mr. President, I rise in opposition to the Leahy-Lugar amendment to cut funding for 10 agricultural research stations [ARS] across the Nation. One of those ten facilities is located in my State. And I know that the work done there is vital to the health of the Nation's blueberry industry. The Chatsworth, NJ ARS station conducts and disseminates research so that growers can produce consistently reliable yields of high-quality blueberries and cranberries. Additionally, one of the major goals of the facility is to find ways to increase production in environmentally acceptable ways. The work done at this facility has helped, for example, reduce pesticide use while maintaining production levels.

The blueberry and cranberry industries are important to both the Nation and to New Jersey. Together, they inject some \$800 million into the national economy. Reducing spending by a little over \$500,000 sounds superficially appealing—but it also is a little silly not to make an investment of \$500,000 to support an \$800 million industry. The withdrawal of Federal funding for the Chatsworth ARS facility would leave the blueberry and cranberry industry vulnerable to a variety of diseases and terminate research and development of varieties resistant to these diseases. We are being penny wise and pound foolish.

Instead of cutting programs that actually produce something of value and are consistent with our national agricultural policy, I'd like to see us eliminate the real waste in agricultural spending: the subsidies that support western water, deficiency payments that distort market mechanisms, and other programs which I identified in a bill I have introduced. In addition, Mr. President, I note that the Senate has restored \$7 million cut by the House for tobacco-related research. Now that, Mr. President, is the real waste and I hope, before we conclude action on this bill, that the House position will prevail.

Mr. ROBB. Mr. President, I rise in opposition to the amendment offered by Senators LEAHY and LUGAR regarding the Secretary of Agriculture's discretion over the future of 10 Agriculture Research Service units which USDA has identified for closure.

My opposition to this amendment comes not from a philosophical disagreement over whether this administration—or any administration—should have reasonable discretion in running the Government. As a former Governor, I vote for enhanced State autonomy whenever I can, as I did to preserve the State waiver process for Food Stamp cashouts earlier this afternoon.

I oppose this amendment, Mr. President, because I believe strongly that

the rationale for moving the production and protection research activities for Virginia-type peanuts from Suffolk, VA, to Dawson, GA, is not defensible. And I believe that the Congress should have the ability to express its opposition on a policy basis to decisions that affect our States and our Nation.

After the Department of Agriculture announced that the USDA Peanut Production, Disease, and Harvesting Unit in Suffolk would be closed, along with 18 other ARS research units, the Department of Agriculture advised some members of the Virginia delegation that,

We intend for ARS to continue research on peanut production and protection at Dawson, Georgia, and on postharvest quality and handling of Virginia-type peanuts at Raleigh, North Carolina. Research results from these locations will continue to be available for, and applicable to, the Virginia peanut industry.

Mr. President, Dawson, GA, is located 80 miles north of Florida.

There are enormous differences between Suffolk, VA, and Dawson, GA—differences in the varieties of peanuts predominately grown in the two regions, differences in the climate, the soil, the propensity of specific diseases, as well as differences in production practices.

Peanuts grown in Virginia and North Carolina are large seeded Virginia-type—or ballpark—peanuts, Mr. President, while the majority of peanuts grown in the Southeast—Georgia, Florida, and Alabama—are runner-type peanuts. In fact, USDA is proposing to do production research on Virginia-type peanuts in a State where Virginia-type peanuts constitute just 2 percent of its peanut acreage.

In addition, Virginia is located in the northernmost portion of the peanut belt and has a much shorter growing season than southwestern Georgia. Frost injury directly affects the flavor and quality of the finished product, and research is underway in Suffolk to develop an early maturing peanut variety. How can Virginia's climatic conditions be replicated in Georgia to continue this important research?

Virginia soil is also much more susceptible than even North Carolina soil to a fungal disease called sclerotinia blight, which can devastate peanut yields. Georgia has absolutely no problem with sclerotinia blight.

The Suffolk Unit is currently developing a Sclerotinia Blight Advisory Program, which is similar to the Virginia Leaf Spot Advisory Program, a computerized approach which, using weather condition data, assists farmers in determining the optimal time to spray to prevent diseases. These advisory programs make the Suffolk Unit a leader in reducing pesticide and chemical use in treating serious diseases. How can this be replicated in Georgia soil?

I do not believe, Mr. President, that research on peanut and protection of

Virginia-type peanuts that is applicable to producers in the Commonwealth of Virginia can be effectively conducted in Dawson, GA.

For this reason, I will vote against this amendment—and I yield the floor.

Mr. LEAHY. Mr. President, I wholeheartedly concur with the Senator from Indiana. When we started doing the idea of reorganization in the Department of Agriculture, we knew the only way you do it is to cut. We knew we were starting with a department where too much money is being spent and we are going to have to cut. So I went down through and saw where cuts would occur. And in the package we passed in the Senate—which we are hoping the other body will soon pass—it was obvious to me there were going to be cuts in the State of Vermont and cuts in the State of Indiana and cuts in the State of Louisiana and cuts in every other State represented here. But it is the only way you can do it. It cannot be the “don’t cut you, don’t cut me, cut the guy behind the tree,” to paraphrase the expression often used by the Presiding Officer’s distinguished predecessor in this body.

All of us on basically a resolution, or an overall piece of legislation that says let us cut money out of the Department of Agriculture, let us go for a streamlined Department, we all vote for it. In fact, we are voting 98-1 that way. The rub comes when we go to the specifics. And there will be specifics that we will feel in every single State. But it is the only way we are going to do it.

You cannot have a situation where we all stand up and say we want to cut the deficit—and, of course, we do—but when it comes to specifics, I want to keep the money in there. It does not work that way. You have to do it. It might be painful, but you have to do it. In this case, it should not be all that painful. You have cases where you are spending more money to repair old, useless buildings than we are on research, where the costs to the taxpayers, under any objective criteria, are just not justified. So I hope that we will adopt the amendment by the Senator from Indiana and myself.

I would like to say that we have had debate in here on cash-out of food stamps. I must say, as chairman of the Senate Agriculture Committee, I am very, very concerned with the amendment of the Senator from Arizona [Mr. MCCAIN], to strike language prohibiting further cash-outs of food stamps. As chairman of the authorizing committee, I strongly urge my colleagues to support the chairman of the appropriations subcommittee, Senator BUMPERS, on this.

The Food Stamp Program should provide food to needy families, not cash. If we are not going to provide food with it, then get rid of the program. But do not make it into something it is not. If

you provide cash, you undermine the character of food stamps as a nutrition program.

If taxpayers are going to spend money on the Food Stamp Program, they want to see people buying food. They do not want to see the money go elsewhere and then have to spend more money on TEFAP sites and food kitchens. Senator BUMPERS pointed out that in Alabama spending on food dropped almost 20 percent where recipients received cash instead of food stamps. It is designed to reduce hunger, and its benefits are meant to be spent on food. I am worried that food stamp cash-outs are going to leave poor families even poorer. If landlords, for example, know tenants now have additional cash, they are not going to say, “Gee, take the money out and spend it on food”; they are going to say, “Here is a chance to raise the rent and get it paid.” Very limited cash-outs permit transition of employment if it is designed properly. That could be an effective part of welfare reform. But let us work that in when we do welfare reform.

I am afraid that the more cash-out projects are approved, the more the Food Stamp Program loses its link to nutrition. That undermines the basic program.

Mr. President, I am more concerned that we ignore what this is. The Food Stamp Program is designed to buy food, designed to give food to needy people. If we do not want the Food Stamp Program, then do away with it, but do not pretend we are feeding people by giving them cash, because there are going to be a lot of other demands on that cash.

Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The time of the Senator from Vermont has expired.

Under the previous order, the Senator from Texas is now recognized for 10 minutes.

Mr. GRAMM. Mr. President, I thank the Chair. Today the President is out traveling around the country promoting his health care plan. New polls are out today showing that support for the President’s health care program has reached a new low. What I would like to do in the 10 minutes I have here is simply talk about where we are on the health care debate and talk about that debate as it move closer to the floor of the Senate.

I think the first indisputable point is that the President has had over a year to sell the American people on his health care plan. The President has not failed in that effort because he lacks a big megaphone. The truth is that the President has the largest megaphone in the world. The President has not failed to sell his health care plan because he is a bad salesman. The President is a great salesman. The First Lady is a better salesperson. The administration is full of great salesmen.

The President has failed to sell his health care program to the American people because he has not been able to convince the American people that they want to turn over the running of the greatest health care system in the history of the world to the Government. A Government-run health care system is simply unacceptable to the American people, and I think the cold reality is that while Elvis may be out there alive somewhere, the President’s health care plan is dead.

It is dead for a lot of reasons. Most of all it is dead because it infringes on the freedom of the people.

Despite the President’s best efforts to convince people otherwise, the President’s plan requires that unless you work for the Federal Government or unless you work for a huge employer with 5,000 or more employees that can ransom you out of the Government plan by paying 1 percent of your salary to the Government in a new tax, your private health insurance is going to be canceled and you are going to have to buy health care through a Government-run cooperative controlled by a seven-member board in Washington, DC.

The American people basically understand the loss of freedom and, as a result, they are rejecting the President’s health care plan in overwhelming numbers.

And, Mr. President, if the vote were occurring in America, I would be absolutely confident. The fact the vote is occurring in Washington, DC, makes me nervous. Despite the fact that the President’s plan is clearly not going to pass—not one Democrat on the House Ways and Means Committee voted for it, and only half of the Democratic Members of the Senate have cosponsored it—that does not mean every bad idea in it is dead.

A second point that I wanted to mention—given the comments of the Governors’ Association today in the paper—is that clearly there is a second problem that is beginning to emerge, and that is, how are you going to pay for this health care plan?

I thought it was more than just comical that Democratic Governors support all the President’s benefits, but they oppose the way he funds the program. They want all the benefits of a Government-run system with a 9.6-percent payroll tax, but their message to the President is, “Don’t impose a payroll tax to pay for it.”

It was also interesting that Republican Governors support the basic tenets of the Dole plan, which basically reforms the system and reorders Medicaid in order to help the working poor buy private health insurance. But they oppose the Medicaid reforms and the Medicaid cuts that are needed to pay for the assistance program.

In fact, one thing is very clear, and that is that when all of these programs

are analyzed by the Congressional Budget Office and we know what they cost, they are all going to be massively underfunded.

One of the few remnants of the old Gramm-Rudman law that exists is that if a bill comes to the floor that adds to the deficit, there is a 60-vote point of order against that bill. I want to put our colleagues on notice that if any health care bill comes to the floor of the Senate and it is not paid for, I intend to raise a point of order against that bill and it is going to have to get 60 votes or that bill is going to die in the Senate.

Second, I know that there will be an effort made to limit debate on health care. I want to debate health care. I am not interested in bringing other issues into the debate, but I want my colleagues to understand that to millions of Americans—and I am one of them—this is the most important issue that we have debated in Congress in the last 15 years. I do not plan to give up any of my rights as a Member of the Senate on this health care debate. I am going to object to any unanimous consent request that limits anybody's ability to offer amendments, that limits anybody's ability to make points of order, and that seeks to impose anything on this debate other than the strict rules of the U.S. Senate.

I believe that we have to take a long, hard look at limitations on the rights of a free people. I do not believe the American people support canceling private health insurance and forcing people to buy health care through a Government-run agency. I do not believe the American people want Government to write their health insurance policy for them, to impose coverage on them that they do not want themselves, or deny them access to coverage that they do want.

I believe that the American people want to know how we are going to pay for this bill.

I think people are going to be shocked when they discover that the Finance Committee bill that will come to the floor of the Senate—barring a substitute by Senator MITCHELL—I think people are going to be shocked that this bill seeks to have the Government funding for health care for 110 million Americans, almost half the population. I think people are going to be shocked when they discover that one of the ways that this is partially paid for is by taxing the health benefits that workers now receive.

We do not yet have the Finance Committee bill costed out, but the benefits it provides are roughly equivalent to the Cooper bill, which raises taxes on 53 percent of all the workers in America by taxing their health insurance benefits. And 8.7 million Americans under that bill pay \$500 or more per year in new taxes.

These are things I want to have us debate in full. I want us to understand what is at stake here.

Finally, I believe that there are things about the health care system that can be fixed, that should be fixed.

I want insurance to be portable, so you can change jobs without losing it. I want insurance to be permanent, so it cannot be canceled if you get sick. I want to deal with medical liability. It makes no sense to spend up to 20 cents out of every \$1 we spend on health care trying to keep people out of the courthouse instead of out of the grave. I want to reform this absurd system where if you do not work, you get Medicaid, you get good health insurance, but if you do work and make a modest income, you can't afford to buy private health insurance.

I want to reform Medicaid, add a modest copayment, allow the States to run the Medicaid Program and use those savings to give a refundable tax credit to let working families keep more of what they earn so that they can buy good private health insurance.

But in the final analysis, I do not want the Government to take over and run the health care system. If the President is going to say to the Congress, "Do it my way or leave it," I believe Congress is going to leave it.

My basic proposal is: Let us do what we agree on. Let us take all these bills. Let us take the areas where they overlap. Let us sit down on a bipartisan basis and let us legislate to fix those areas where there is a broad consensus. I believe we could pass a bill with 80 or 90 votes in the Senate, and I think America would applaud that effort.

Then the President can go to the American people, if he chooses, in the 1994 elections and say, "If you want the Government to take over and run the health care system, then vote for people who support that." I would be perfectly happy to go to the same electorate and say, "I don't want the Government to take over and run the health care system, and if you don't want it either, vote for people who oppose it."

That, I think, is the path we should follow, Mr. President.

I thank you for the time.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California, [Mrs. FEINSTEIN].

Mrs. FEINSTEIN. Thank you very much, Mr. President.

AGRICULTURAL, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

The Senate continued with the consideration of the bill.

Mrs. FEINSTEIN. Mr. President, I rise to support the committee amendment to fund the Market Promotion Program at \$90 million in the agriculture appropriations bill now on this floor.

Mr. President, I think it is important to point out at the outset that funding this program at \$90 million is a cut of 18 percent from last year, and since 1992 it has faced a 55-percent cut in funding. So you might say it is a program that has been greatly reduced. It is also a program which is of major priority to American agriculture.

It is a cost-shared program and participating industries must spend their own funds to export development before receiving up to 50 percent of certain promotional costs.

And, as I hope to show, it is a program that is vital to being able to develop new markets for agricultural products all across this globe. In a GATT economy, the only legal tool to assist these products will be market promotion. According to USDA data, market promotion expenditures for export activities by the world's 11 major agricultural exporting nations total nearly \$500 million annually. In contrast the U.S. Market Promotion Program is being funded at \$90 million. If American agriculture is to remain competitive in foreign markets, we must insure that our growers are given the same support that their foreign competitors receive.

The positive impact of this program on California is dramatic. There have been scores of success stories. Exports to overseas markets have doubled and tripled. These new markets are providing jobs, jobs for longshoremen, jobs in processing, jobs in transportation, and in the fields all across this Nation. I believe we need to maintain this GATT-legal Market Promotion Program in the future. Exports account for nearly one-third of total U.S. agriculture production and over \$40 billion in sales. California agricultural exports total over \$5 billion, generate nearly \$13 billion in economic activity, and provide 137,000 export related jobs. A 10-percent increase in agricultural exports would help create over 13,000 new jobs in my State alone. I am hoping that when GATT is passed by this body, with its favorable provisions for agriculture, that we can see agricultural jobs all across this great land increase.

The Market Promotion Program allows independent farmers and producers organized access into foreign markets that would otherwise be difficult for them to penetrate. By requiring that participants make a minimum contribution to receive funds, this program is an ideal example of how the public-private partnership can work.

Most of the companies receiving funds are small. Based on their number employees, 61 percent of the firms are

defined as small—less than 100 employees, 22 percent are medium-sized—100 to 500 employees, and only 17 percent are large—more than 500 employees.

The average 1991 allocation to individual companies under the State Regional Trade Groups [SRTG] Branded programs was \$50,000. In 1993, no firm received more than \$270,000.

This year 71 different commodity groups received funds from the Market Promotion Program, directly benefiting approximately 1,600 small business in 47 states.

For my State, MPP funds will help boost exports of almonds, brandy, fresh and processed asparagus, dried prunes and prune products, citrus, fresh avocados, kiwifruit, canned and frozen peaches, canned pears, canned fruit cocktail, pistachios, fresh and frozen strawberries, table grapes, fresh tomatoes, walnuts, wine, raisins, fresh plums, fresh peaches, fresh prunes, fresh nectarines, bartlett pears, raw cotton and cotton products, and more.

Let me give a few examples of how this program has been used.

In peanuts—not particularly benefiting my State—MPP funds helped reestablish a market in Russia for raw peanut kernels and introduce peanut butter to Russian consumers, leading to United States exports of 50 tons.

For barley, MPP funds helped counter subsidized European Community exports of barley in Brazil, leading to United States export sales of 14,000 metric tons, the first such sales in 20 years.

Apples—MPP funds helped establish a trade distribution network in Mexico, boosting United States export of apples from just 574,000 cartons to over 4 million cartons in just 1 year.

Asparagus—U.S. asparagus exports are up 14 percent.

Citrus—in Hong Kong, MPP funds were used to create highly visible advertising regarding United States oranges and grapefruits, leading to a 300-percent increase in consumer recognition and a 28-percent increase in sales.

Avocados—MPP funds have been used to heighten the awareness of Japanese to the higher quality of California avocados as opposed to the lower priced, lower quality from other foreign sources. Between 1990 and 1993 alone, exports to Japan rose approximately 200 percent. This dramatic rise is directly attributable to the cost-sharing assistance provided our domestic avocado industry through the Market Promotion Program.

Mr. President, there are numerous successes for small businesses as well.

Caesar Cardini Foods sells salad dressing in 10 countries and had an export program of \$700,000 in 1993. Yet, in 1991, their exports were only \$98,400. This small California company uses its \$10,000 MPP allocation to price their product at break even prices in order to enter new markets. This strategy

enabled them to increase their exports sevenfold in 2 years. These funds have also enabled them to invest in marketing their brand in selected countries.

I can tell you about small producers of organic blue corn chips who have permeated markets in Singapore through this program.

I can tell you about the cut flower industry in America which in 2 weeks in January 1992 had immediate results. One grower was able to fill four orders, another grower shipped two orders, two additional growers shipped to Hong Kong, and so on.

Fresh and processed foods were promoted all over Taiwan beginning in November 1991. Fresh fruits and vegetables attained an increase during the promotion of 54 percent, and a 125-percent increase within the month following the promotion. Grocery items, excluding U.S. beef, attained an increase of 185 percent during the month-long promotion, and a 44-percent immediately following the promotion.

Mr. President, I have tried to show that this is a program that works for the farmers and growers of America. For my State, where farm revenue amounts to about \$17 billion, it is a critical way that small- and middle-sized farmers and growers can break into foreign markets, have an opportunity to promote their crops and, I think in the GATT world, it is going to be a program that will have an even greater value when quotas, duties, and tariffs are done away with in the agricultural commodities world.

I thank the Chair and I urge a yes vote on the committee amendment to fund the Market Promotion Program.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, I wish to join with my distinguished colleague from California in speaking in support of the committee amendment, which funds the Market Promotion Program at \$90 million in the agriculture appropriations bill, and I congratulate her for her eloquence, the force of her statement, and reasoning for defending this very important program.

Clearly, the subcommittee was faced with many difficult funding priorities, in large part because the Clinton administration's budget request made many inappropriate budgetary assumptions—like the collection of Food and Drug Administration user fees, the imposition of user fees on the meat and poultry industry, implementation of the administration's crop insurance reform proposal, and savings from the proposed reorganization of the USDA. Each of these budget assumptions proposed by the administration require authorizing legislation—which has not yet happened.

In anticipation of the tough decisions that faced the subcommittee this year due to budgetary constraints, 18 Senators joined together with Senator

FEINSTEIN and me in sending a letter to the subcommittee requesting full funding for the Market Promotion Program. Because of tight budgetary constraints, we thought it important to illustrate to the subcommittee that bipartisan support for the program existed in the Senate.

Unfortunately for U.S. agriculture, funding for MPP was zeroes out in the chairman's subcommittee proposal. This action left Senator FEINSTEIN and me with no choice but to offer an amendment in the subcommittee to restore funding for the program. Although the authorized amount for the program is \$110 million, our amendment funded the program at \$90 million—the same as the House level and a \$10 million reduction from last year's funding level. The off-set for the amendment was a 1.5-percent reduction in the salaries and expenses accounts of 27 departments within USDA.

Funding for the MPP is a \$90 million investment in increasing U.S. agriculture exports. Exports account for nearly one-third of total U.S. agriculture production and for over \$40 billion in direct sales. Agricultural exports in turn spur economic activity and provide jobs for more than 1 million Americans.

And, as we learned during the debate over the North American Free-Trade Agreement and the pending ratification of GATT, U.S. agriculture stands to gain from free trade and open markets. MPP helps to promote U.S. agriculture in new and existing markets.

During the NAFTA debate, nearly every Member of this body stood on the floor of the Senate and proclaimed to be for free trade. Whether its selling apples in Mexico or pears to Taiwan—MPP puts free trade into action.

Mr. President, a perfect example of why the Senate must support the amendment before us comes today from my own State.

In 1991, only 3 short years ago, 575,000 boxes of Washington State apples were sold to Mexican consumers. With the help of Market Promotion Program funds, the Washington Apple Commission began to tell Mexican consumers about our apples. Growers used MPP funds as seed money, added their own money, and started promoting Washington State apples in supermarket demonstrations, billboard advertising, participating in Mexico's trade and consumer programs, radio advertising, and more.

Without the Market Promotion Program, Washington State applegrowers might not have been as effective in telling Mexican consumers about their apples because you cannot simply ship millions of apples to consumers who have never seen or tasted the product. First, you must sell them on the product, and that is exactly what MPP funds have done; 3 years later, Mexican consumers purchased 6.65 million boxes

of Washington State apples, well over 10 times the amount of 3 years earlier.

MPP funds have developed markets across the globe for U.S. agriculture. The GATT agreement, in particular, once ratified, will result in substantial changes in many existing support and subsidy programs when we reauthorize the farm bill next year. GATT will reduce export subsidies and trade barriers, but it does allow for nations to maintain and increase funding for promotions which are nontrade distorting. These GATT legal or green box programs include market promotion expenditures.

Of equal importance, according to USDA, every \$2 in MPP funds generates \$7 in export sales. This ratio is even greater for specific commodities that participate in the program. I believe that this ratio—a 2-to-7 ratio—is an extremely persuasive argument in favor of retaining funding for this program. It is not very often that we appropriate Federal dollars and get a return on our investment as large and as significant as we do with the MPP.

I urge Senators to vote for the committee amendment for the following reasons:

The Gorton-Feinstein amendment was accepted in the Agriculture Appropriations Subcommittee on a bipartisan vote of 7 to 4;

A similar amendment to eliminate funding for MPP failed by a vote of 70 to 30 in last year's appropriations bill;

The 1993 Budget Reconciliation Act instituted reforms to MPP in an effort to address past criticisms of the program;

MPP is a GATT legal program;

For every \$2 in MPP funds spent, \$7 in agricultural exports are generated.

In summary, Mr. President, the Senate must vote to retain funding for the Market Promotion Program. Funding for the Market Promotion Program is, of vital importance, in keeping U.S. agriculture competitive in the world market. Without such a program, we give our competitors an advantage and U.S. agriculture is the loser.

MARKET PROMOTION PROGRAM

Mr. WOFFORD. Mr. President, I oppose the elimination of the Market Promotion Program. I believe the Market Promotion Program serves an important role by helping domestic producers find and take advantage of export opportunities. It helps offset unfair trading practices that our producers encounter when trying to make inroads in foreign markets.

While I do not believe this program should be eliminated, I also believe the Market Promotion Program should be reformed to ensure that priority be given to small- and medium-size companies that need our help in establishing a foothold in foreign markets. To cut funding for the Market Promotion Program does not reform the program, it simply shrinks the pot of available

money for all participants. Without real reform, the public and Congress will continue to criticize the program. If we continue at the current rate of reducing the MPP moneys, we will not need to have this discussion in another year or two.

Unfortunately, the loser in all this is American agriculture. They are trying to be more competitive and respond to the markets by developing the value-added products that, many times, make the difference between profit and loss. At a time when we are trying to finalize the GATT implementing legislation, an agreement that will drastically change what we produce and who buys it, we should be certain our small- to medium-size companies have the support they need. With reform, the Market Promotion Program is one tool that can help do just that.

When I introduced my MPP reform legislation in 1992 there were assurances that the program would be reformed. In 1993 and 1994 more assurances. There is even a legislative requirement that the Department of Agriculture will give priority to small businesses. Here we are again asking for more assurances.

Even though the USDA says they have reformed MPP by giving small- and medium-size businesses priority, their 1993 and 1994 allocations are virtually identical to previous years—same participants, only less money. The pot has shrunk and that is it. That not my definition of reform. To reassure Congress and the American people, we need to know what criteria the USDA is using to make the funding allocations.

In addition to making small business a priority, the USDA needs to work in tandem with State departments of agriculture to maximize both State and Federal promotion resources. At a Small Business Subcommittee hearing on Export Expansion and Agriculture Development that I chaired at the Port of Philadelphia, I heard of the creative and effective work the Pennsylvania Department of Agriculture is doing with small food processing entrepreneurs like Bob Cotten. Mr. Cotten employs 15 people and produces specialty pies for export—using all Pennsylvania produced or processed ingredients. This is exactly the type of market promotion we should be encouraging. In this case the States' involvement made the difference in whether Mr. Cotten exported or not.

Just as there should be more coordination with State Departments of Agriculture, the Extension Service could play more of a role in identifying small farmers and agribusinesses that have the potential for exporting. Since coming to the Senate I have had the opportunity to work closely with the Pennsylvania State University on a number of fronts, including agriculture and know that the Cooperative Extension

Service, which receives part of their funding from the USDA and has highly qualified personnel in each county, should be utilized in export promotion. With exceptional staff, a research base linked with the USDA and the Foreign Agricultural Service, it seems to be a resource we should be tapping. Extension is a great link to agriculture and business.

One of the points made many times by witnesses at the subcommittee hearing in Philadelphia was that it is confusing, frustrating, and costly to piece together all these agency trade assistance programs. I believe extension can be a tremendous help to small- and medium-size agribusinesses by helping them make the initial contact with the appropriate agency.

Mr. President, as I said, I oppose the elimination of funding for the Market Promotion Program. But this program needs to be reformed. As I mentioned before, if it is not reformed significantly and soon, those who oppose this program will surely prevail in the future.

FOOD WORKS—COMMON ROOTS

Mr. LEAHY. Mr. President, I want to clarify an understanding with the chairman of the Agriculture Appropriations Subcommittee on a matter important to me.

There is a great program in Vermont which involves a number of issues related to nutrition, nutrition education, better health, and agriculture.

Food Works is a Vermont-based, non-profit, educational organization, which provides teaching aids and other materials to elementary schools interested in implementing the Common Roots curricula. Common Roots is an educational model which integrates nutrition and food preparation education, agriculture, gardening, ecology, and diet, health, and hunger education with the regular elementary school curricula. Students learn math, science, and verbal skills through the practical application of small-scale agriculture. The Common Roots model currently operates in five schools in Vermont, and one school in Upstate New York.

The Food Works—Common Roots project has received a great deal of favorable press attention in Vermont. Common Roots and other innovative educational approaches in the State received national attention in a New York Times article (September, 1991), which stated: "As the nation's students return to classes, Vermont is expanding an experimental program in learning and evaluating mathematics and writing skills that some experts believe may revolutionize testing and teaching in the United States."

Food grown in Common Roots school gardens is often contributed to local food pantries or soup kitchens or used to teach the students healthy food preparation techniques.

Funding for the Common Roots project will enable Food Works to expand the program into more schools, and assist in the development of a graduate training center in order to train elementary school educators on how to implement the Common Roots curricula in their classrooms.

USDA has authority to fund this program under the Extension Service or through the Food and Nutrition Service. S. 1614, the Better Nutrition and Health for Children Act, as reported by the Senate Agriculture Committee on June 22, 1994, contains additional authorizing language designed for this program.

This program should be funded by USDA in the amount of \$150,000 for fiscal year 1995 in that it is fully consistent with a number of initiatives related to nutrition education, better health through better nutrition and agriculture. Mr. Chairman, do you agree that USDA should fund such a program?

Mr. BUMPERS. Yes, this program would fit in with a number of initiatives that USDA is planning to conduct in fiscal year 1995 with money we are providing and Food Works in Vermont should be considered for funding by the Food and Nutrition Service of USDA for the purposes the Senator described in his remarks.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. I thank the Chair. I realize that we are about to recess for the regular party luncheons.

The PRESIDING OFFICER. Is the Senator from Pennsylvania seeking unanimous consent to extend the time?

Mr. SPECTER. Mr. President, I ask unanimous consent that the time be extended not to exceed 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2305, AS MODIFIED

Mr. SPECTER. Mr. President, I have sought recognition to support the amendment offered by Senator McCAIN and Senator KERREY which would strike from the agriculture appropriations bill the language banning food stamp waivers and do so in part because of a plan offered by the Commonwealth of Pennsylvania which has an application before the U.S. Department of Agriculture entitled "Pathways to Independence," where there is an effort to utilize cash instead of the food stamps.

It is structured on a pilot basis to try to deal in an overall coordinated way with the problems of welfare. There is an issue as to whether the proceeds, or the equivalent of the food stamps, would be used for something other than food, like alcohol, for example, which would be contrary to the direct purpose of the food stamps. But there are strong indications that the potential disadvantage from that kind of a diver-

sion would be outweighed by the advantages of allowing the States to have innovative programs which would be directed to the overall program of welfare.

The application which is pending by the Commonwealth of Pennsylvania was recently submitted under the provisions of the bill. There would be a cutoff of such innovative programs which were not granted prior to July 1. It seems to me on its face that is an undesirable provision without ample notice for States like Pennsylvania to put the programs into effect and to have them granted by the U.S. Department of Agriculture.

But the overall concept of flexibility for the States to tackle this very difficult problem is one which I think ought to be recognized by the Federal Government. The specific Pennsylvania program has all the indicia of being a good program, and that kind of flexibility ought to be promoted by the Federal Government.

Certainly the problem of dependency and welfare payments and aid to families with dependent children, and food stamps—that whole amalgam—is one of the major problems facing our country today. There is, admittedly, a stigma attached to the use of stamps when you go to the checkout stand in the supermarkets, and the kind of a program with the flexibility as proposed by the Commonwealth of Pennsylvania I think is a good idea.

Therefore, I support the McCain-Kerrey amendment and wanted to put my comments on the RECORD at this time because I know we will be voting on this issue immediately after returning from the luncheon recess.

I thank the Chair for awaiting my speech, and I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, at 12:37 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. KOHL).

AGRICULTURAL, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

The Senate continued with the consideration of the bill.

COMMITTEE AMENDMENT ON PAGE 86, LINE 9
THROUGH PAGE 88, LINE 12

The PRESIDING OFFICER. The question now occurs on the committee amendment on page 86 of the bill.

Mr. COCHRAN. Mr. President, the issue before the Senate, as I under-

stand the order, is there is 15 minutes of debate time between now and the vote on the committee amendment which relates to the Market Promotion Program. If it has not already been stated, our intention is to divide that time evenly between the proponents and opponents of the amendment.

Let me say that I hope the Senate will vote in favor of the committee amendment. This may be a little confusing to some; the committee chairman is opposing the committee amendment. The amendment was originally offered in our subcommittee by the distinguished Senator from Washington State [Mr. GORTON]. His proposal is to fund this program at \$90 million, which is \$10 million less than the funding level for the current fiscal year. The President's budget asked for funding to be continued for the program at \$75 million for this year. But the opponents of the program want to zero it out completely.

And so if you are for zeroing out the Market Promotion Program, you will vote against the committee amendment. If you are for supporting the committee position, which is to fund the program at \$90 million, the same level as contained in the appropriations bill from the other body, then you will vote for the committee amendment.

Mr. President, at this time, if he wishes time, I would be pleased to yield 2 minutes of our time to the distinguished Senator from Washington State [Mr. GORTON].

The PRESIDING OFFICER. The Chair recognizes the Senator from Washington [Mr. GORTON], for 2 minutes.

Mr. GORTON. Mr. President, the Market Promotion Program of the Department of Agriculture is a modest program in comparison with many of the functions of that Department. It is, nevertheless, a vitally important program for literally thousands of agricultural entrepreneurs across the United States in dozens or perhaps hundreds of different commodity-producing fields—all of those that relate to agriculture and agricultural exports.

Agricultural exports are a huge—\$40 billion a year—business in the United States of America. To promote those programs is vitally important. This program, for example, in my own State of Washington has helped multiply by 10 the number of boxes of apples exported to Mexico in a single 3-year period.

If we accept the committee amendment, we continue that program with a \$10 million cut from last year. If we reject the committee amendment, all of this money goes back into the bureaucracy of the Department of Agriculture, not for the Market Promotion Program, not to help American agriculture, but simply into the bureaucracy itself.

That is the choice, Mr. President—whether we wish to continue an effective program, whether we continue a program consistent with the General Agreement on Tariffs and Trade at a time at which that will cut down on our agricultural subsidies, or whether we wish to leave this money entirely to the discretion of the bureaucracy in the Department of Agriculture for its own benefit rather than for that of the agricultural community of the United States.

I urge a vote in favor of the committee amendment.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. COCHRAN. Mr. President, I yield 3 minutes to the distinguished Senator from Alaska [Mr. MURKOWSKI].

The PRESIDING OFFICER. Senator MURKOWSKI is recognized for 3 minutes.

Mr. MURKOWSKI. I thank the Chair.

Mr. President, I wish to state for the RECORD my strong support for the U.S. Department of Agriculture's Market Promotion Program [MPP]. I am no fan of subsidies that only serve to increase prices, but that is by no means the case here.

The Market Promotion Program is a highly successful and cost-effective program. It has been instrumental in the Alaska seafood industry's tremendous achievements in the export market in recent years.

If the Market Promotion Program suffers from all the problems, ailments and abuses that the sponsors of this amendment seem to think, then they should either fix it in authorizing legislation or move to repeal the program altogether. But this attempt to strangle the program in the appropriations process is wrong, out of place, and unfair to the hundreds of small American companies that depend on it to counter the unfair practices of their foreign competitors.

The intent of the MPP is to help fund additional market promotion activities undertaken by U.S. industries and producers—but only as a means of leveling the playing field in foreign markets where U.S. products suffer from unfairly subsidized competition.

Let me point out that this is not a free ride—the private-sector participants share the costs with the Federal Government. Its value lies in the ability to increase promotion purchasing power, and thus effectiveness, over and above what the private sector can do by itself.

MPP's cost effectiveness is a matter of record. According to figures I received last year, every dollar spent for MPP-backed promotion results in an average increase in U.S. sales of \$2 to \$7. And those dollars return to circulate throughout the Nation's economy, helping maintain stability and stimulate growth throughout the coun-

try. In other words, this is one program that truly pays its own way.

Let me offer some solid examples from my own State of Alaska. The Alaska Seafood Marketing Institute [ASMI] has participated in the MPP since 1987. Before entering the program, the Alaskan salmon industry was suffering great difficulty competing in Europe and the Pacific rim, where Alaskan salmon faced—and continues to face—unfair competition from heavily subsidized farm-raised salmon from Norway, Japan, Canada, and elsewhere.

Using MPP funds, ASMI has been able to develop a promotional campaign to differentiate Alaska salmon as uniquely natural and wild—despite significant price disadvantages in comparison with subsidized foreign products. The campaign results have been impressive by any standard.

In Japan, our foremost market, Alaska increased its exports by 17 percent in 1992 and another 12 percent last year, bringing the market share for Alaska salmon to a full 61 percent, despite heavy competition from alternative sources.

Exports to the United Kingdom have increased over 200 percent since MPP supported marketing efforts began there, leading to an astounding 73 percent market share in 1993.

In France, MPP funding has helped ASMI turn around a downward spiral, changing the minds and hearts of French importers and consumers, and helping Alaska exporters post increases in both volume and market share. Alaska is now France's No. 2 supplier, next to heavily subsidized fish from Norway's salmon farms, as well as South America.

Finally, in Australia, MPP-assisted promotions led Alaska to an unprecedented 55 percent share of the salmon market, which has previously been dominated by Canadian exports.

The MPP is an effective mechanism to counter unfair trade practices and subsidized competition by our foreign trade partners—and rivals—such as the members of the European Economic Community, which spends billions of dollars each year to protect and increase the market share of its agricultural producers.

This program has been a great success according to the rules established for it. I strongly support its continuation, and vehemently oppose any further cuts.

The PRESIDING OFFICER. Who yields time?

Mr. COCHRAN. Mr. President, how much time do I have remaining on this side?

The PRESIDING OFFICER. One minute and thirty-five seconds.

Mr. COCHRAN. I yield the remainder to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska [Mr. STEVENS] is recognized.

Mr. STEVENS. Mr. President, the Market Promotion Program [MPP] is one of the most profitable U.S. assistance programs we have, returning anywhere from \$2 to \$7 for each \$1 spent.

In my State, the MPP has provided invaluable help to the Alaska seafood industry in battling foreign fish subsidies and improving foreign markets for Alaska seafood. Despite the massive subsidization and promotion of foreign farmed salmon, for example, the MPP has helped Alaska salmon exports to grow significantly in recent years to a number of the countries which import large amounts of seafood.

We continue to need the help of the MPP in foreign markets.

The National Marine Fisheries Service recently reported that while commercial fish landings off the United States set a record in 1993—10.5 billion pounds total, the total value of this catch was \$200 million lower than the value of 1992 catch of 9.6 billion pounds. This is an important and concerning statistic in my State, where roughly 50 percent of these 10.5 billion pounds of fish were harvested.

The MPP can help us get better prices and create bigger markets for our seafood in foreign countries. Despite the proven benefits of the MPP, in each of the past few years we have faced challenges to the program in the Senate.

The MPP program went from \$200 million in fiscal year 1992, down to \$148 million in fiscal year 1993, and last year down to only \$100 million. This year, we are trying to keep it alive at \$90 million.

In the letter that 19 other Senators and I sent to the chairman of the Agriculture Appropriations Subcommittee in May, we explained how the MPP has passed GATT and NAFTA tests, while a number of U.S. export assistance programs have been found to violate these agreements.

We also explained that previous concerns about the use of the MPP for brand-name promotion have been addressed in the past year.

A provision in last year's Budget Reconciliation Act requires the MPP to give small-sized entities a priority over branded promotion;

The House report accompanying the fiscal year 1994 Agriculture appropriations bill directs the Department of Agriculture to encourage smaller and medium-sized participants in allotting MPP funds.

Mr. President, I close by emphasizing that this is an important program to continue not only for our State but for all seafood producing areas in the country. It is one of the agriculture programs of great benefit to the seafood market of the United States.

The PRESIDING OFFICER. Who yields time?

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I yield myself such time as I may use.

Mr. President, the House has \$90 million in this program. If the committee amendment is defeated, as I divinely hope it will be, we will go to the conference with the House of Representatives and probably come out with about half of that, \$45 million.

So first of all, my colleagues, you are not going to kill the program by voting against the committee amendment.

No. 2, I have a deep, abiding interest in small business of this country. I was a small businessman. I am chairman of the Small Business Subcommittee in the Senate. If you are going to do this, it ought to be directed at small business.

You tell me—and I invite the people who promote this program—what in the name of all that is good and holy are we doing subsidizing Hiram Walker, McDonald's, Burger King, Pillsbury, Gallo Wine, Sunsweet Prunes, Sunmaid Raisins? Go down the list of the people who are going to get this \$90 million. It looks like the Fortune 500.

Do you think if Gallo Wine saw an opening to sell wine someplace where they could make some money with that they would say, "I would immediately like to open this billion-dollar wine market in Japan, but I am not going to do it unless the Federal Government gives me \$2 million to do it with?" When you vote for the committee amendment, that is what you are saying.

You talk about corporate welfare. I invite my colleagues to look at the General Accounting Office report. No correlation could be found between the increase in exports and the Market Promotion Program. One after another of the promoters of this thing have stood up and said, "This is wonderful." Look at how much our exports have grown in the last 6 years. They have grown in the last 6 years, and this program according to the GAO had absolutely nothing to do with it.

You do not have to be a rocket scientist to figure this out. They said something that I have always believed; that is, the people who are getting this money would spend it anyway. We are indifferent about spending. We put up \$90 million. So they say, "I think I will go see if I cannot get \$1 million of that." "Oh, yes. Here is \$1 million to teach the joys of McNuggets to the Japanese."

Mr. President, it is not as though we are doing nothing for exports. This is just redundancy on top of redundancy. Do you know how much the U.S. Government is spending this year to promote exports, including agricultural exports? One billion "smokes." Yet we are going to pile another \$90 million on top of that for the biggest corporations in America to say, "Oh, please. Take this money, and export raisins to Japan."

I have to repeat that raisin story. They take the dancing raisins, and put them on Japanese television. It scared the Japanese children to death. They look disheveled, and shrunken. There was a big debate in Japan. "Are they potatoes, or are they chocolates?" Well, they were dancing raisins. But the Japanese never got the message.

Do you know what else? The Japanese under that program paid \$1,583 to Sunmaid a ton; \$1,583 a ton for those raisins. And what do you think it cost "Uncle Sugar" to finance it? About \$3,000 a ton. That is what you are defending here; that kind of junk.

Mr. President, I applaud my distinguished colleague from Nevada for his effort to kill this program. I strongly urge my colleagues to break out in a spate of common sense, sanity, and rationality, and kill something. For God's sake. Thirty-three of you are running this fall. Would you not like to go home and report something that you voted against?

So, Mr. President, I hope my colleagues will vote against the committee amendment with a "no" vote.

Mr. President, I ask for the yeas and nays.

THE PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. Mr. President, I rise in opposition to the committee amendment to restore \$90 million in funding for the Market Promotion Program.

The purpose of the Market Promotion Program is a worthy one. One of the best ways to help U.S. farmers and businesses is to help them market their products abroad.

Unfortunately, I am not convinced that the Market Promotion Program is the best mechanism to provide support to our export efforts in a time of budget austerity. The Agriculture Committee has held oversight hearings on the Market Promotion Program that uncovered a number of problems with USDA's management of the program. I am not convinced that those problems have been adequately addressed.

During the budget reconciliation process last year, we attempted to mandate some reforms of the program. We sought to better target the program so that it would provide assistance to small businesses that really need the help, not to large multinational companies to subsidize their advertising budgets. We tried to make sure that firms would not get money to do the same thing year after year.

It is not clear that USDA ever received the message that the usual way of doing business just is not good enough. When I look at USDA's allocations of MPP funds for the current year, I see little evidence that USDA has reordered priorities to address the concerns expressed by this Senator and many others.

Finally, I oppose the committee amendment because it pays for MPP by making an across-the-board cut in a large number of other programs. Some of those programs are already underfunded, and these additional cuts are unwarranted. If the MPP is truly worthy of funding, it would be far more appropriate to identify particular programs that should be cut to pay for it.

Mr. KERRY. Mr. President, I want to add my support to the effort of Senators BUMPERS and BRYAN to terminate the Market Promotion Program. I am proud to be associated once again with these two colleagues, who make repeated attempts to rout out waste in the Federal budget and whose efforts have saved the taxpayers millions of dollars: Senator BUMPERS, most recently through his success in terminating the supercollider, and Senator BRYAN in our successful joint effort to terminate the wool and mohair subsidy.

The taxpayers know, and so do we, that there is still a great deal of room to cut the budget without gravely harming our ability to meet pressing national needs. There are many programs that have outlived their original purposes but which are staunchly defended by the entrenched interests that benefit from the programs. There are many others that never served a legitimate national interest but were initiated only to satisfy powerful political constituencies.

That is the reality, Mr. President, and when we deny it we succeed only in making people cynical about their elected officials. Our constituents see these programs ridiculed on "60 Minutes" and on the evening news. And they feel ridiculed themselves, because it is their hard-earned money that pays for these programs. The amounts may not matter as much as the idea that the Government is careless with tax dollars. They understandably believe that we should not raise taxes or eliminate programs that help those who truly need our help before we have cut all the expenditures that are unnecessary or wasteful. One of the programs which most deserves to be terminated is the Market Promotion Program.

The Market Promotion Program [MPP] was created in 1986 to increase exports of agricultural products. Despite the fact that agriculture constitutes only 10 percent of U.S. exports, it receives 74 percent of all Federal export promotion dollars. Since 1986, the program has given scores of private companies—foreign and domestic—\$456 million to advertise their products overseas. MPP funds have been used to promote such well-established brands as Blue Diamond, which has received \$35.7 million since 1986; Pillsbury, \$9.3 million; and Dole fresh fruit, \$8.2 million.

The U.S. taxpayers paid for a failed media campaign by the California Raisins to introduce Japanese children to

the dancing raisin—which failed because the dancing, shriveled raisins frightened the children. More importantly the California Raisins already had the dominant market share in Japan.

MPP money has been used to attempt to peddle Ernest and Julio Gallo wine to the French; to advertise Japanese-made underwear, manufactured it is true with American cotton, in Japan; to promote McDonald's chicken McNuggets worldwide; and to sell Campbell's V-8 juice in Korea, Japan, and Taiwan.

Most of the companies receiving MPP funds are major firms with millions of dollars in profits. Taxpayers cannot be blamed for feeling that they are simply reimbursing companies for advertising they would have run in any case. M&M/Mars, which received \$785,000 in 1992, has an annual advertising budget of \$272.4 million. The Washington Post asked Mars why it bothered to apply for Federal funds. The company spokesman compared the program to a mortgage deduction. "If it's available, you would certainly take advantage of it," he said.

What adds insult to injury in the case of the MPP is the fact that the Department of Agriculture could do much more for exports of high value-added agricultural products—products made from basic far commodities—if it simply ceased spending billions of dollars supporting high domestic prices on those commodities. If peanut prices were not held artificially high, United States-made peanut butter would be cheaper. So, too, would be products made from cotton, sugar, rice, and milk. Over the next 5 years, the American taxpayer will spend \$46 billion on these price support programs.

As long as the U.S. economy was growing strongly, it was relatively easy for Congress to ignore failed programs and simply add programs that we hoped would work better. However, in these times of high deficits and a staggering national debt, we cannot afford to continue to fund wasteful programs when we have so many current priorities and so little money to fund them. We must force the system to respond to changing circumstances.

President Clinton is the first President in over a decade to demonstrate real leadership for cutting back some of these programs. But the cuts he proposed have been subject to endless attacks from the special interests, who insist that someone else's programs be cut before theirs. Even in Congress, where Members of both parties chide the President for not cutting enough, many of the cuts the President has proposed have been whittled away by Members protecting their parochial interests.

In light of the \$220 billion annual Federal deficit and \$4 trillion national debt, we can no longer be swayed by

special interest pleading. We must face the tough choices. If we take a bold step now, we can restore some integrity to the Federal Government and its budget process. The madness must end. And to end it, we each must be willing to vote to eliminate programs that we know are not in the national interest.

I hope that this amendment, which will eliminate the wasteful MPP Program, will be approved, and that its approval will signal that the Senate recognizes that there is much more that can be done to cut the deficit if we are willing to make tough choices.

Mr. KOHL. Mr. President, I rise in support of the committee amendment to fund the Market Promotion Program [MPP].

I have been troubled by the debate on this issue. The program has been characterized as corporate welfare, and nothing else. Mr. President, I reject that characterization, because the program is far more than that.

It is true that there have been some abuses in the program in the past that have led to large corporations receiving funding for foreign market development in cases where they were clearly able to finance those efforts on their own. It is for this reason that I have supported efforts to reform this program, as was done through the Omnibus Budget Reconciliation Act of 1993. However, while I have supported efforts to reform the program, I do not support efforts to eliminate the program all together.

Despite the past abuses, this program serves a valid purpose. That purpose is to help U.S. farmers and food companies compete in foreign market, especially where the huge export subsidy programs of other nations have made it difficult for U.S. products to compete abroad. And I think that it has been successful in achieving that goal. Export market expansion in recent years for many U.S. agricultural commodities can be attributed, at least in part, to assistance under the Market Promotion Program.

The new GATT agreement underscores the need for continuation of this program. While the GATT agreement reduces the overall level of export subsidies nationwide, it proposes to make an across-the-board cut for all nations, allowing nations like those in the European Union to continue to subsidize exports at significantly greater levels than the United States. In other words, even if the GATT agreement passes, markets will continue to be distorted in a way that hinders U.S. exports into certain markets. For this reason, we need to continue programs like the Market Promotion Program to help create a more level playing field in international markets.

Mr. President, in my State of Wisconsin, one in every five jobs are dependent on agriculture. And Wisconsin agricultural exports total over \$1 bil-

lion, supporting over 27,500 export-related jobs. A 10 percent increase in agricultural exports from my State, would help create an estimated 3,000 new jobs. This is not corporate welfare, it is an effort to maintain and increase markets to help farmers and to create jobs in the food and fiber industry of my State.

I urge my colleagues to vote in support of the committee amendment to restore funds to the Market Promotion Program.

Mr. WARNER. Mr. President, I rise today with mixed feelings toward the amendment offered by Senators LUGAR and LEAHY which would give the Secretary of Agriculture the right to close the Agriculture Research Service facilities recommended for funding in the Agriculture Appropriations Committee report for fiscal year 1995.

Let me begin by stating that I commend the chairman and ranking member of the Senate Agriculture Committee for continuing to seek ways to limit unnecessary spending at the U.S. Department of Agriculture. Their efforts in this area has been aggressive, thoughtful, and most importantly mindful of the American taxpayer.

Their leadership and strong efforts led to the formulation of legislation passed by the Senate earlier this year to reorganize the U.S. Department of Agriculture. I supported that legislation and I look forward to supporting the chairman and ranking member in their efforts to further streamline and reduce duplicative programs at the Department of Agriculture.

While I will support this amendment, which among other actions could effectively close the USDA Peanut Production, Disease, and Harvesting Unit in Suffolk, VA, I want my colleagues to know that I believe a terrible mistake will have been made if the Secretary of Agriculture decides to do so.

Mr. President, I want my colleagues who are following this debate to understand that this is not a not-in-my-backyard plea. I believe that the Suffolk unit should remain open on research and scientific grounds, and if debated independently could stand on its own.

As the chairman of the Senate Agricultural Appropriations Committee, Senator BUMPERS, clearly knows, I have cosponsored with him legislation to discontinue the development of the space station *Freedom*. This has not been a popular proposal in my beloved State of Virginia because there is clearly an economic interest for some in the development of the space station. However, I recognize that these are difficult budgetary times and difficult decisions must be made.

With respect to the Suffolk ARS Research Unit, the research conducted at this facility is specialized for problems geographically unique to Virginia and North Carolina peanut growers. Virginia is more susceptible than other

peanut growing States to an early frost which directly affects the flavor and quality of the finished product. In addition, Virginia soils are more susceptible to the disease sclerotinia blight which can devastate peanut yields. In brief, Virginia and North Carolina growers are dependent upon the Suffolk unit for the development of an early maturing, sclerotinia resistant variety of peanut.

I have been informed by the Secretary of Agriculture that the administration intends for this research to be conducted at facilities in Dawson, GA. I intend to again make the Secretary aware of climatic and geographic barriers which will prevent satisfactory scientific results for Virginia and North Carolina growers of Virginia-type peanuts.

Mr. President, there are numerous arguments which can be made to keep the Suffolk unit open. In fact, I have made Senator BUMPERS aware of many of them and he graciously, and fairly I might add, accepted them and included funding for the Suffolk unit in the report language to this measure.

I cannot, however, justify to the American taxpayer the necessity for keeping these other research facilities open. While some of them may merit continued funding, as I believe the Suffolk unit does, those arguments must be made with the administration and the Secretary of Agriculture.

I pledge to the growers of the Commonwealth of Virginia that following this vote I will continue to work diligently with the executive branch to keep the Suffolk unit open on its own merits.

Therefore, although I strongly believe that the Suffolk unit should remain open, I will vote for the Leahy-Lugar amendment.

Mrs. BOXER. Mr. President, I strongly support the Market Promotion Program. I urge my colleagues to support the subcommittee's amendment funding the Market Promotion Program at \$90 million for fiscal year 1995. I would like to point out to the Senate why this program is so important for agriculture in my State of California, and many other States as well.

The MPP is an important tool in expanding markets for U.S. agricultural products. Continued funding for this program is an important step in redirecting farm spending away from price support and toward expanding markets.

The U.S. Department of Agriculture estimates that each dollar of MPP money results in an increase in agricultural product exports of between \$2 and \$7. The program has provided much needed assistance to commodity groups comprised of small farmers who would be unable to break into these markets on their own. While the program has been the subject of criticism, some of it justified, I believe it would be a mis-

take to cut the program because of a few cases of poor judgment. Overall, the program has greatly benefited the small growers for whom it was intended.

Earlier this year, a task force of U.S. Agriculture Export Development Council met for two days in Leesburg, VA, to review the role of the MPP, and other agriculture programs as part of our overall trade policy. This task force affirmed that the purpose of the MPP is to "increase U.S. agricultural project exports." It concluded that the increase in such exports helps to "create and protect U.S. jobs, combat unfair trade practices, improve the U.S. trade balance, and improve farm income."

Mr. President, the Market Promotion Program has been an unqualified success for California farmers. For many California crops, the MPP has provided the crucial boost to help them overcome unfair foreign subsidies. I would like to share one of the successes of this program in California.

California produces about 85 percent of the U.S. avocado crop on over 6,000 farms that average less than 8 acres per farm. Between 1985 and 1993, California avocado growers utilized \$2.5 million of their own money, combined with \$3.4 million of MPP funds to achieve over \$58 million in avocado sales in Europe and the Pacific rim. This is better than a 17-to-1 return on our MPP investment. That means jobs for Californians.

The MPP is a wise investment in American agriculture and I urge my colleagues to support it at the highest possible level.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 86, line 9, of the bill. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 62, nays 38, as follows:

[Rollcall Vote No. 206 Leg.]

YEAS—62

Akaka	Exon	Moseley-Braun
Baucus	Faircloth	Moynihan
Bennett	Feinstein	Murkowski
Biden	Gorton	Murray
Bond	Graham	Packwood
Boren	Gramm	Pell
Boxer	Grassley	Pressler
Breaux	Hatch	Pryor
Craig	Hatfield	Riegle
Burns	Hefflin	Robb
Campbell	Helms	Sasser
Coats	Hutchison	Shelby
Cochran	Jeffords	Simon
Cohen	Kassebaum	Simpson
Danforth	Kempthorne	Specter
Daschle	Kennedy	Stevens
DeConcini	Kerrey	Thurmond
Dole	Kohl	Wallop
Domenici	Lott	Warner
Durenberger	Mathews	Wofford
	McConnell	

NAYS—38

Bingaman	Glenn	McCain
Bradley	Gregg	Metzenbaum
Brown	Harkin	Mikulski
Bryan	Hollings	Mitchell
Bumpers	Inouye	Nickles
Byrd	Johnston	Nunn
Chafee	Kerry	Reid
Conrad	Lautenberg	Rockefeller
Coverdell	Leahy	Roth
Dodd	Levin	Sarbanes
Dorgan	Lieberman	Smith
Feingold	Lugar	Wellstone
Ford	Mack	

So, the committee amendment on page 86, line 9, was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RURAL BUSINESS ENTERPRISE GRANT FUNDING FOR ANDERSON COUNTY, TN

Mr. SASSER. Mr. President, I rise to congratulate the Senator from Arkansas on his work in bringing this bill before the Senate. I commend the Committee for its recognition of the importance of Rural Business Enterprise Grants and for including \$5 million over last year's level for this program. The program is designed to foster the development of business and industry in rural communities. There is an area in my State that would benefit greatly from this kind of assistance. Recent actions by the Department of Energy to downsize employee levels at its Oak Ridge facilities have created the urgent need in Anderson County, TN for new employment opportunities. In that area of my State there are few alternatives for employment other than the Oak Ridge facilities. Anderson County officials have developed a proposal for infrastructure improvements to support development of an industrial park to help offset the negative impacts of downsizing at Oak Ridge. However, they are in need of assistance to carry out this proposal. It is my understanding that funding through the Rural Business Enterprise Grants could be used for this proposal. Is that correct?

Mr. BUMPERS. I say to my friend from Tennessee, I respond in the affirmative. The Senator had advised me of the negative impacts of reduced Energy Department activities at Oak Ridge. I believe the Rural Business Enterprise Grants would be an appropriate and effective program to assist Anderson County in its efforts to develop employment opportunities. I encourage the Department to review and consider a proposal by Anderson County, TN for infrastructure development to support a new industrial park.

Mr. SASSER. I thank the Senator from Arkansas and again commend him for his fine work on this bill.

LOCOWEED RESEARCH

Mr. HATCH. Mr. President, I wonder if I might ask the chairman of the Agriculture Appropriations Subcommittee a few questions regarding the funding of the Locoweed Research Program

as set out in the committee report accompanying the 1995 Department of Agriculture appropriations bill.

Last year, Congress provided funding in the 1994 appropriations bill for the Agriculture Research Service [ARS], for locoweed research at New Mexico State University [NMSU]. Under an agreement with NMSU, Utah State University has received a portion of that amount to participate in the research effort.

Some concerns have been raised that moving the NMSU locoweed research funding from ARS to the Cooperative State Research Service, as proposed in the Senate bill, may alter the funding portion Utah State University has been receiving. Could the Senator from Arkansas explain this situation?

Mr. BUMPERS. Let me assure my colleague from Utah that there is no intention of denying funds to Utah State University for the purpose of conducting locoweed research through this transfer of funds.

Mr. HATCH. I appreciate that response. Then, am I correct in stating that, assuming the Senate recommendation is agreed upon by the conference, it is my colleague's position that the research station at Utah State University will continue to receive a portion of the funds for locoweed research under the new funding proposal?

Mr. BUMPERS. That is correct. It is the subcommittee's intention that Utah State University be included in the locoweed research effort.

Mr. HATCH. I thank my colleague from Arkansas for this clarification.

AMENDMENT NO. 2305, AS MODIFIED

Mr. HATCH. Mr. President, I rise in support of the McCain-Kerrey amendment to eliminate the provision in the fiscal year 1995 Department of Agriculture appropriations bill barring the continued use of the "cash out" demonstration authority in the Food Stamp Program. This provision would prevent States from receiving new waivers to convert food stamps either to cash benefits or to wage subsidies, an option that is now utilized by 20 States, including Utah.

The sponsors of this amendment have carefully explained the cash out demonstration authorization and why it is vital to the success of our overall welfare system. I will not restate the reasons why this portion of the program should continue.

The State of Utah has received three welfare demonstration grants during the last 2 years to implement its overall welfare program. To receive these grants, the State had to obtain 44 waivers, one of which included a waiver to initiate a cash out program. It has taken considerable work to obtain this waiver, which would suddenly be eliminated by four simple lines in the Department of Agriculture Appropriations bill.

Utah's cash out program has been operating for nearly 2 years in three cities: St. George, Roosevelt, and Kearns, all of which are located in distinct geographic areas of our State. This program has proven to be so successful in helping welfare recipients get off the welfare rolls that State officials want to expand the demonstration project statewide. Only a very small portion of Utahns participating in the State's welfare program use the cash out provision, but these officials believe the provision should remain an option for all participants. The provision demonstrates the flexibility inherent in Utah's overall welfare program, which is key to its long-term success.

The concept behind Utah's welfare program is a simple one: to help individuals become as independent as possible in every aspect of their lives. The cash out provision of Utah's Single Parent Employment Demonstration Program is crucial to achieving this goal, which I wholeheartedly support. Allowing recipients to receive cash for food stamps allows them to exercise the same economic independence as everyone else. Rather than continually remind welfare recipients that they are dependent on the government for their subsistence, the cash out enables welfare recipients to make consumer choices on their own. It sends the message that they are expected to stand on their own two feet.

If we eliminate the ability to continue the cash out program, then we will encourage these individuals to continue their dependence on the government. They will never need to think for themselves. Moreover, we will send the message that society does not trust them to make the proper and correct decisions in their lives. How will people ever develop the positive attitude, to say nothing of the life skills needed, if our Food Stamp Program treats them like children.

The States need Congress to provide them as much flexibility as possible in the Federal Government's welfare system. The cash out provision in the Food Stamp Program provides some of this flexibility. By removing this component from the program, we will eliminate one of the discretionary powers that we have given to the States. We will be sending the message to the States that they, too, cannot be trusted to make the proper and correct decisions when it comes to the welfare of its citizens. I am not one who believes that the Federal Government has all wisdom in this area.

The cash out provision has been successful and borne fruit in several areas of my State. Rejection of this amendment will prevent that same success from being experienced in other parts of Utah.

I commend my colleagues, Senators MCCAIN and KERREY, for proposing this amendment. I urge my colleagues to adopt it.

Mr. COCHRAN. Mr. President, I ask unanimous consent the following Senators be added as cosponsors to the McCain amendment: Mr. COCHRAN, Mr. BENNETT, and Mr. GORTON.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, today I come to support the McCain-Kerrey amendment to strike the food stamp waiver prohibition from H.R. 4554, the fiscal year 1995 Agriculture appropriations bill. As the bill now stands, it prohibits States from getting new waivers to cash-out food stamp benefits and use them as part of wage subsidies or work supplements in State welfare programs. The provision allows such cash-outs if the waiver was granted before the first of July, but effectively prohibits any State from applying for or getting a waiver after that. Put simply, this provision would prohibit States from using food stamp benefits, in conjunction with other welfare benefits, as an instrument to move the welfare beneficiary from dependency into a private sector job.

My concern is with how this provision would impair welfare reform initiatives. I recognize that there are problems of fraud and abuse in the Food Stamp Program and we must continue to ferret out such abuses and prosecute them. However, we should not tie the hands of Governors who are not handing out the cash value of food stamps willy-nilly, but who want to combine welfare and food stamp benefits and use them to provide jobs to welfare recipients.

Currently, 20 States are pursuing or are interested in pursuing waivers from the Food Stamp Program. With the use of wage subsidies and work supplements, States are implementing bold and innovative programs which will create jobs and increase personal responsibility for welfare recipients. This provision would stop these innovations unless the State has already received a waiver. It is simply inappropriate to prohibit these waivers at a time when the States are leading the way in our country's efforts to reform welfare.

Further, the provision in the Agriculture appropriations bill runs counter to welfare reforms proposed by the President and contained in welfare reform bills now before Congress. Specifically, I am the sponsor of welfare reform legislation, S. 1795—the Brown-Dole Welfare Reform Act. This bill would allow a welfare recipient to shop for a job with a voucher equal to their combined AFDC and food stamp benefit. Once hired in a job paying twice the amount of the welfare benefits, the amount of the voucher would be paid to the private sector employer. Moreover, S. 1795 would expand the existing AFDC work supplementation program to encompass not only AFDC cash benefits but also food stamp benefits. S. 2134, the Faircloth-Grassley-Brown

Welfare Reform Act, follows the voucher and work supplementation proposals of S. 1795. Other proposals such as, S. 2009, the Welfare to Self-Sufficiency Act, sponsored by Senators HARKIN and BOND, would give States the option to use wage subsidies to assist welfare recipients in their transition from welfare to work and S. 2057, the Welfare to Work Act, sponsored by Senators KOHL and GRASSLEY, would turn the AFDC and portions of the Food Stamp programs over to States.

Please remember that under current law, States are permitted to implement these programs if they are granted a waiver. However, a State must go through an extremely rigorous waiver process that often takes months of preparation, in addition to an intensive screening period, before their plan can be approved or denied. Welfare reform efforts almost uniformly try to streamline the waiver process, but they do not prohibit either a State from seeking, or the Federal Government from granting, a waiver. Rather, most welfare reforms are designed to give the States more flexibility. What this appropriations rider would do is strip from the States the ability to get a waiver. This provision is simply counterproductive and should be removed.

In closing, it should be clear that there is a bipartisan consensus that States be allowed to continue to apply for food stamp cash-out waivers from the Federal Government to pursue welfare reform. We must continue to afford States the flexibility to implement reforms in the welfare system. We should not punish States who have led the way in implementing these innovative programs by allowing this potentially destructive provision to remain in the bill. This provision would hurt not only State innovation, but welfare recipients who would be denied an opportunity to become employed and self-sufficient through State welfare reforms. I urge my colleagues to vote in favor of the McCain-Kerrey amendment.

Mr. KOHL. Mr. President, I rise in support of the Kerrey-McCain amendment which would allow States to continue to use the food stamp program to experiment with innovative welfare reform programs. I want my colleagues to be clear: If we do not pass this amendment, we will be taking a giant step away from welfare reform. We will be saying to the States: You can no longer use Federal food stamps funds to try new ways to move people off welfare. We will be saying to the States: We in Washington know better how to run a welfare program than you who live and work in the communities you represent.

If that were true, Mr. President, we wouldn't be talking about overhauling the Federal welfare system. If we could design a one-size-fits-all welfare plan that really works, don't you think we would have done it?

At a time when our States need more flexibility rather than less, I do not see why we should legislate away the meager amount of flexibility that is now built into the Federal welfare system, specifically in the Food Stamps portion of our welfare system.

I therefore join my colleagues in opposing this attempt to enact new policy in an appropriations bill—a policy which has not been the subject of hearings—a policy that is the product of people who believe that all wisdom lies within the Capital Beltway. I'm here to inform you that just isn't so.

I have said repeatedly that our welfare system is broken and that a one-size-fits-all, made-in-Washington solution won't work. That is why I worked with Senators GRASSLEY, EXON, and FORD to develop the Welfare to Work Act of 1994. This bill acknowledges that the Federal welfare system, made up primarily by AFDC and food stamps, needs to be scrapped and completely replaced with welfare-to-work block grants to States. Our bill gives States the flexibility they need to change welfare from a system that pays people not to work to a system that helps them move toward work.

I strongly believe that we need more State flexibility rather than less. And less flexibility is what the provision that we are trying to remove from this appropriations bill is all about—less flexibility to find out what works and what doesn't. States have only recently wanted to conduct experiments to reform their welfare system, and those inclinations should be encouraged, not stopped. It is not as if Washington had a monopoly on wisdom as to how to run welfare. If it did, the system would be working by now.

Mr. President, we ought to reform welfare this year. It is a cruel and ineffective system that destroys families, destroys hope, and destroys the American value of work. We ought not to stifle any attempts to move away from this system. We ought not to close our eyes and ears to ideas for reform that come from outside of the beltway. We ought to vote for the McCain amendment and ensure that some experimentation with welfare is still allowed to the States.

Mr. President, I ask unanimous consent that letters in support of this amendment from the State of Wisconsin's Department of Health and Social Services, the National Conference of State Legislatures, and the National Governors' Association be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH
AND SOCIAL SERVICES,

July 11, 1994.

Hon. HERB KOHL,
U.S. Senate, Washington, DC.

DEAR SENATOR KOHL: The House recently added language to the Agriculture Appropria-

tions bill that prohibits future demonstration projects that "cash out" food stamps. We would urge you to oppose such language in the Senate version of this bill.

Food stamps cash out has been an essential part of a number of state welfare reform projects, including Wisconsin's Work Not Welfare plan. By prohibiting cash out, states would lose the flexibility they need to develop comprehensive welfare reform initiatives.

And it should be noted that the flexibility doesn't hurt recipients of welfare. It only means that recipients receive the equivalent of food stamps in cash.

We appreciate your consideration of our concern.

Sincerely,

GERALD WHITBURN,
Secretary.

NATIONAL CONFERENCE
OF STATE LEGISLATURES,
Washington, DC, July 12, 1994.

Hon. HERB KOHL,
U.S. Senate, Washington, DC.

DEAR SENATOR KOHL: The National Conference of State Legislatures urges your support for a floor amendment to H.R. 4554, FY 1995 appropriations for agriculture, nutrition and related programs. This amendment would delete a provision in H.R. 4554 that would prohibit states, for one year, from converting food stamp benefits to cash payments or wage subsidies for beneficiaries. We strongly feel that this provision should be deleted.

Those states seeking to convert food stamp benefits would do so only subsequent to a grant of waiver authority from the federal government. Seven states have waivers pending; others are contemplating applying for waivers. These waivers are being sought as part of a larger strategy to strengthen welfare systems and demonstrate alternative mechanisms for providing benefits. The language in H.R. 4554 would have a chilling effect on these requests.

President Clinton asserts in Executive Order 12875 that "these (state and local) governments should have more flexibility to design solutions to problems faced by citizens in this country without excessive micro-management and unnecessary regulation from the Federal Government". The report on the National Performance Review concludes that "(state and local) managers must have flexibility to waive rules that get in the way". The language within H.R. 4554 discards flexibility and undermines the executive branch's discretionary capacity to approve waiver requests.

Many believe that the welfare and income security systems we have now are inefficient or ineffective. The "cash out" demonstrations sought by several states present perhaps a more effective means for giving recipients more control of and responsibility for their benefits. We will not know whether this is an appropriate alternative if the waiver process is stymied.

We appreciate your consideration of our perspective on the aforementioned language in H.R. 4554 and respectfully encourage you to support an amendment to have it struck from the legislation.

Sincerely,

WILLIAM T. POUND,
Executive Director.

NATIONAL GOVERNORS ASSOCIATION,
July 6, 1994.

Hon. GEORGE J. MITCHELL,
Majority Leader, U.S. Senate, Washington, DC.

DEAR SENATOR MITCHELL: We are writing to ask for your support for a floor amendment to strike a little noticed provision of the fiscal 1995 Agriculture Appropriations bill that would bar states from pursuing important innovations in welfare reform. This provision would prohibit for one year federal waivers to allow states to convert food stamp benefits to cash payments or to wage subsidies. Currently seven states have waivers pending and a number of other states are preparing waiver requests in this area.

The Governors believe this provision is antithetical to recent Congressional and administration proposals that would increase state flexibility to reform welfare, empower recipients by increasing their personal responsibility and control, and create jobs for recipients through wage subsidies. Furthermore, we strongly object to such a significant shift in federal policy being adopted without Congressional debate or discussion and in the context of a large appropriations bill. This issue should be addressed as part of a comprehensive debate on welfare reform.

We are also very concerned about the precedent that would be set by Congress stepping in to preempt state demonstration initiatives that already must undergo a rigorous screening process in the executive branch in order to be approved. Supporting the amendment to strike the provision from this bill would not mean that states would have carte blanche in this area. Rather it would simply mean that the administration would continue to have the discretion to approve waiver requests that it deemed worthwhile and to deny other requests. This existing provisions would strip that discretionary authority from the administration.

Again, we ask for your support for continued state flexibility and executive branch discretion in this area. Please support the amendment to strike the food stamp "cash out" provision when the appropriations bill comes to the Senate floor.

Sincerely

Governor CARROLL A.
CAMPBELL, JR.,

Chair, National Governors' Association.

Governor HOWARD DEAN,

Vice-Chair, National Governors' Association.

Governor JOHN ENGLER,

Co-Chair, Welfare Reform Leadership Team.

Governor TOM CARPER,

Co-Chair, Welfare Reform Leadership Team.

Mr. BUMPERS. Mr. President, I move to table the McCain amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON MOTION TO TABLE AMENDMENT NO. 2305,
AS MODIFIED

The PRESIDING OFFICER. The question now occurs on the motion to lay on the table amendment No. 2305, as modified, offered by Senator from Arizona.

The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Illinois [Mr. SIMON] is necessarily absent.

The PRESIDING OFFICER (Mr. LIEBERMAN). Are there any other Sen-

ators in the Chamber who desire to vote?

The result was announced—yeas 37, nays 62, as follows:

(Rollcall Vote No. 207 Leg.)

YEAS—37

Akaka	Feingold	Moseley-Braun
Biden	Feinstein	Murray
Bingaman	Ford	Nunn
Boren	Glenn	Pell
Boxer	Heflin	Pryor
Bryan	Hollings	Reid
Bumpers	Inouye	Riegle
Byrd	Jeffords	Rockefeller
Campbell	Kerry	Sarbanes
Conrad	Leahy	Sasser
DeConcini	Mathews	Wellstone
Dodd	Metzenbaum	
Dorgan	Mitchell	

NAYS—62

Baucus	Gorton	Mack
Bennett	Graham	McCain
Bond	Gramm	McConnell
Bradley	Grassley	Mikulski
Breaux	Gregg	Moynihan
Brown	Harkin	Murkowski
Burns	Hatch	Nickles
Chafee	Hatfield	Packwood
Coats	Helms	Pressler
Cochran	Hutchison	Robb
Cohen	Johnston	Roth
Coverdell	Kassebaum	Shelby
Craig	Kempthorne	Simpson
D'Amato	Kennedy	Smith
Danforth	Kerrey	Specter
Daschle	Kohl	Stevens
Dole	Lautenberg	Thurmond
Domenici	Levin	Wallop
Durenberger	Lieberman	Warner
Exon	Lott	Wofford
Faircloth	Lugar	

NOT VOTING—1

Simon

So, the motion to lay on the table the amendment (No. 2305), as modified, was rejected.

Mr. BUMPERS. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The yeas and nays have already been ordered.

The question is on agreeing to amendment No. 2305 offered by the Senator from Arizona. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Oklahoma [Mr. BOREN], the Senator from New Jersey [Mr. BRADLEY], and the Senator from Hawaii [Mr. INOUE], are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 63, nays 34, as follows:

(Rollcall Vote No. 208 Leg.)

YEAS—63

Baucus	Dole	Johnston
Bennett	Domenici	Kassebaum
Bond	Durenberger	Kempthorne
Breaux	Exon	Kennedy
Brown	Faircloth	Kerrey
Burns	Gorton	Kohl
Chafee	Graham	Lautenberg
Coats	Gramm	Levin
Cochran	Grassley	Lieberman
Cohen	Gregg	Lott
Coverdell	Harkin	Lugar
Craig	Hatch	Mack
D'Amato	Hatfield	McCain
Danforth	Helms	McConnell
Daschle	Hutchison	Mikulski

Moseley-Braun	Pressler	Specter
Moynihan	Robb	Stevens
Murkowski	Roth	Thurmond
Nickles	Shelby	Wallop
Nunn	Simpson	Warner
Packwood	Smith	Wofford

NAYS—34

Akaka	Feingold	Murray
Biden	Feinstein	Pell
Bingaman	Ford	Pryor
Boxer	Glenn	Reid
Bryan	Heflin	Riegle
Bumpers	Hollings	Rockefeller
Byrd	Jeffords	Sarbanes
Campbell	Kerry	Sasser
Conrad	Leahy	Simon
DeConcini	Mathews	Wellstone
Dodd	Metzenbaum	
Dorgan	Mitchell	

NOT VOTING—3

Boren	Bradley	Inouye
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So the amendment (No. 2305), as modified, was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HARKIN. Mr. President, the amendment offered by the Senator from Arizona, Senator MCCAIN, presented a difficult choice. The amendment strikes language in the bill which prohibited providing food assistance in cash in any county not covered by a demonstration project that had final approval on or before July 1, 1994.

On one hand is the concern over maintaining the Food Stamp Program's basic purpose of providing assistance to prevent hunger among needy Americans, and whether providing assistance in cash rather than food stamps detracts from that purpose. On the other hand is the great need for reform of our welfare system in order to help people move from dependency to jobs and self-sufficiency.

To achieve meaningful welfare reform, I believe we are going to have to allow for experimentation, and for trying some new ideas. That is why the bill that I have introduced with Senator BOND provides for wage supplementation demonstration projects. The provisions of our bill are based on a promising pilot project that is being developed in Kansas City, MO. In that program, the value of AFDC and food stamps would be paid in cash as a wage supplement. The employer would have to pay no less than the minimum wage. The wage supplement would be designed to provide an incentive for those on welfare to take jobs.

As innovative concepts like this are tried, we will need to evaluate very carefully whether providing food assistance in cash adversely affects the nutritional status of those—particularly children—in households that would otherwise receive food stamps.

The language in the bill as approved by the House of Representatives and as reported by the Senate Committee on Appropriations would allow for no further approvals of demonstration

projects involving cash food assistance, regardless of the merits of the project. Because the bill language was too restrictive, I vote in support of the McCain amendment.

However, I hope that neither my vote, nor the vote of the Senate, will be interpreted as supportive of a wholesale cashing out of the Food Stamp Program. The Food Stamp Program is of critical importance in preventing hunger among the most vulnerable in our society, particularly children, the elderly, and people with disabilities. As the chairman of the Nutrition Subcommittee, I have been honored over the years to work with Chairman LEAHY to improve our Nation's programs to prevent hunger. Hunger and malnutrition are among the biggest impediments to education, employment, and self-sufficiency. So as we work to reform our welfare system, it is imperative that we not lessen our commitment to the Food Stamp Program and other nutrition assistance programs.

The choice presented this afternoon was more difficult than it had to be. Language in the bill was too restrictive. Yet, by striking the language entirely, the McCain amendment does raise legitimate concerns about how far the Department of Agriculture may go in allowing food stamp cash outs without appropriate limitations and conditions. Surely there is a middle ground, which I hope we will be able to find in conference on this bill and as we move forward on welfare reform legislation.

AMENDMENT NO. 2307

The PRESIDING OFFICER. The question now occurs on amendment No. 2307 offered by the Senator from Indiana.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. BUMPERS. Mr. President, I wonder if we can get a time agreement on the Leahy-Lugar amendment. I think there are a few Senators wishing to speak on it for a little bit. Senator WARNER wants 5 minutes to speak for the amendment; is that right?

Mr. WARNER. Yes, it is in support of the amendment. I thank the manager.

Mr. BUMPERS. Are there other Senators on the floor wishing to speak pro or con?

Mr. BAUCUS. In opposition, 10 minutes.

Mr. BUMPERS. Mr. President, I wonder if we can propound this unanimous-consent request.

I ask unanimous consent that there be a period of 40 minutes, equally divided—strike that—make that 30. Senator WARNER wanted 5 on behalf of, and Senator BAUCUS wanted 10 in opposition.

Mr. CONRAD. Mr. President, reserving the right to object. I, too, would

like time on this amendment. I would like 7 or 8 minutes in opposition.

Mr. BUMPERS. Will we have a vote on the second-degree amendment by the Senator from Indiana? Will that require a rollcall vote?

Mr. LUGAR. I would say that I am prepared to see a voice vote, but I gather there is opposition to it. So I suspect there would be a rollcall vote.

Mr. LEAHY. Mr. President, if the Senator will yield, the Senator from Indiana and I are in total agreement on both the first and second degrees of the amendment here. I would be willing to have both voice voted, or I am willing to have it the other way.

Mr. COCHRAN. One recorded vote would be satisfactory.

Mr. BUMPERS. That would be a recorded vote on the second degree and a voice vote on the first-degree amendment?

Mr. LEAHY. It is going to be the same result either way.

Mr. COCHRAN. A voice vote on the second-degree and have a recorded vote on the amendment as pending.

UNANIMOUS-CONSENT AGREEMENT

Mr. BUMPERS. Mr. President, I ask unanimous consent that there be a time of 40 minutes, equally divided, on the Lugar second-degree amendment, because the debate is essentially the same on Leahy-Lugar amendment; that at the expiration of that 40-minute period, there be a voice vote on the amendment of the Senator from Indiana, followed immediately by a rollcall vote on the amendment of the Senator from Vermont.

Mr. COCHRAN. Reserving the right to object. Because we have heard requests from a number of Senators who want to speak in opposition that amounts to more than 20 minutes, I suggest to the distinguished Senator that he enlarge the time for debate to 1 hour, equally divided, and if we do not use all the time, we can yield it back.

Mr. BUMPERS. I so amend the request.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. LUGAR. Reserving the right to object, Mr. President. Let me ask the distinguished manager this: If a rollcall vote occurs without pause, does that rule out any further amendments? In other words, once the second-degree amendment has been agreed to by voice vote, do we move on immediately, or does the manager's request preclude any further action in terms of intervening amendments or intervening activity?

Mr. BUMPERS. There is a second-degree amendment by Senator LUGAR—

Mr. LUGAR. Mine is a second-degree. I gather the manager now would not

want to see that occur. With all due respect, I am suggesting perhaps the need for a rollcall vote on my second-degree amendment.

Mr. BUMPERS. Mr. President, let me amend the request then to 1 hour, equally divided, on the Lugar second-degree amendment; that at the expiration of 1 hour, there be a voice vote on the Lugar amendment; that immediately following that, with no intervening business and no second-degree amendments in order, we go immediately to a rollcall vote on the amendment of the Senator from Vermont.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2307 TO AMENDMENT NO. 2306

Mr. COCHRAN. Parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Is my understanding correct that there is 1 hour, equally divided between the proponents and the opponents?

The PRESIDING OFFICER. The Senator is correct.

Mr. COCHRAN. With the Senator from Mississippi controlling the time in opposition to the amendment and the Senator from Arkansas the time in support of the amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. BUMPERS. I yield the 30 minutes of my time as the floor manager to the distinguished Senator from Vermont.

The PRESIDING OFFICER. Time will be controlled, 30 minutes on each side, by the Senator from Vermont and the Senator from Mississippi.

Mr. BUMPERS. I ask for the yeas and nays on the amendment of the Senator from Vermont.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. It should be noted that the underlying amendment is the Leahy-Lugar amendment.

The PRESIDING OFFICER. It is so noted.

Mr. COCHRAN. I yield 10 minutes to the distinguished Senator from Montana [Mr. BAUCUS].

Mr. BAUCUS. I thank the Senator from Mississippi.

Mr. President, I rise today in opposition to the amendment offered by the distinguished chairman and ranking member of the Senate Committee on Agriculture, Nutrition, and Forestry. I have a great deal of respect for the Senator from Vermont and the Senator from Indiana, but I must say, in this instance, I very much disagree with their approach.

The amendment, particularly the second-degree amendment, would reiterate the authority of the Secretary of

Agriculture to close the facilities which the Department recommended for closure in the administration's budget for fiscal 1995. The amendment would directly contradict efforts taken by the House and by the Senate Appropriations Committee.

Let me repeat that, Mr. President. The House of Representatives chose not to make these cuts. The Senate Agriculture Appropriations Subcommittee decided not to make these cuts. This is an amendment which would be contrary to the wishes of the House and contrary to the wishes of the Senate Agriculture Appropriations Subcommittee.

When the administration brought forth its budget for the 1995 fiscal year, the USDA recommended the closure of 19 facilities operated by the Agricultural Research Service, including the Northern Plains Soil and Water Research Center in Sidney, MT. While I am not well acquainted with the activities of all 19 stations recommended for closure, I am intimately aware of the valuable work conducted at the station in Sidney, MT. That work is a vital part of efforts to achieve USDA's goal of putting integrated pest management in place on three-quarters of the Nation's acreage by the turn of the century.

The station at Sidney is a small station performing critical service to agriculture in Montana and the surrounding Great Plains States. The station operates on an annual budget of approximately \$750,000. That is all. Their efforts on the biological control of leafy spurge are positively impacting 389 sites in North and South Dakota, and Montana. This work will ultimately lead to the improvement of 5 million acres in 29 States, including acreage in Vermont. Their progress was prominently featured in the April 1994, ARS publication *Agricultural Research*.

Mr. President, I have a copy of that periodical in my hand right now. This is a magazine put out by the Agriculture Research Service. And inside, I might say, at page 20, there is a lengthy article of work done to combat leafy spurge. This was research work done at Sidney Research Station, and also at the research station at Montana State University in Bozeman, MT.

Let me just read a couple of portions from this publication. Again, this is an Agriculture Research Service publication, not something else, the Agriculture Research Service promoting the work of the research station in Sidney, MT.

Leafy spurge is ranked as one of the worst weeds in the northern Great Plains and Canada and it is getting worse every year. It expands its infestation by 10 percent annually, essentially doubling its original area over about 7 years. Spurge contains irritating chemicals; cattle and horses generally won't graze on it, and they sometimes refuse to eat nutritious forage growing nearby.

It goes on and on about the problems of leafy spurge.

Then the article goes on to promote the positive efforts in developing insects at this research station to fight leafy spurge.

Mr. President, that is a critical point. Developing insects, developing nonchemical alternatives to fight weeds. This is being conducted at Sidney. It is being conducted at MSU and other places in the country. It is critically important, Mr. President, that we find other alternatives other than chemicals to fight pests—pests that ravage our crops. And leafy spurge is one such plant, I must say, that ravages the West and other parts of the country.

I wish you could come out and see the problems leafy spurge causes. It is tremendous. And work done at Sidney, MT, helps combat it.

I must say, in that article, Dr. Paul Quimby, Jr., described the vital economic need for biological control of leafy spurge, just one of the noxious weeds threatening our land resources. He is one of the people who is doing a lot of research at Sidney and MSU.

Dr. Quimby stated that, "Chemicals are too expensive, at \$72 per acre, for temporary control on land that has value only for livestock grazing. Plus, chemicals kill desirable broad-leaf plants." I ask unanimous consent that this article be printed in the RECORD, following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BAUCUS. Mr. President, leafy spurge fails to recognize the boundaries between cropland and rangeland or between Montana and North Dakota, or between Montana and the 29 States where leafy spurge threatens both agriculture and wildlife. The only potential for controlling this weed pest is found in the work being conducted by the researchers in Sidney.

One of the strengths of the ARS system is that centers are located in different geographical areas to conduct research which is specific to that region. The station in Sidney, in cooperation with State efforts in both Montana and North Dakota, serves a vast area. The work there is applicable to approximately 70 million acres in four States. Let me repeat that—70 million acres in four States. That is an area the size of the entire State of Nevada. And it is work that is not being done elsewhere.

The effects of geographical differences on agricultural production practices are well documented. As my colleague from Vermont knows, we do not grow bananas in Montana. That fact points to the need for a geographical distribution of research operations.

Field research conducted around Sidney, MT, cannot be duplicated here in Washington, DC. It cannot be dupli-

cated in Beltsville, MD. And we sometimes seem to care more about foreign agriculture than we care about our lands or our farmers here at home.

I believe the selection of these particular facilities for closure is flawed. If you review the locations of these doomed facilities, numerous questions arise. According to the ARS evaluation, upon which the original proposal was based, the closures do not line up with the numerical ratings made.

Again, if you look at the list, if you look at the numerical ratings ARS gave to each of the various sites, the closures are not correlated with those recommended by the ratings. ARS took other factors into consideration. We do not know what they were. Therefore, it is wrong to just willy-nilly take the recommended closures by USDA without looking at the various criteria. I do not know what those other factors are, but before we close anything, I think it is important to know what they are.

Mr. President, I would also like to know why we need to maintain a station in the Virgin Islands but not in Sidney, MT. I would like to know why we need a station in Argentina but not in Grand Forks, ND. And why do we need a station in Puerto Rico but not in El Reno, OK? I think we deserve some answers before we authorize these cuts.

I would call your attention to the vast distances in the West. If you look at a map, you can see that Montana, indeed the northern Great Plains, has sparse representation in the ARS structure. I think fairness should be a part of the debate in the closure process. At this point that critical factor has been left out of the equation.

Again, it makes no sense whatsoever to close facilities where there are virtually no other facilities for hundreds of miles around. I can see closing a few facilities in Maryland, a few facilities in the Washington, DC, area—and there are many—because one facility with a lot of people, although there is another facility nearby, can conduct adequate research on areas that cover both facilities. That is not the case in the sparsely populated West. It is not the case in the West where it does not rain nearly as much as it rains out here in the East.

The Sidney station is also conducting worthwhile research into soil and water quality issues. As chairman of the Committee on the Environment and Public Works, I have a keen interest in water quality enhancement. Since the largest remaining water quality problem is runoff from nonpoint sources, agriculture must be part of an eventual solution.

Recent agricultural and environmental legislation has attempted to address the situation with mandated management changes in production agriculture. It is irresponsible to demand that agricultural producers make the

changes to reach our environmental goals without providing the technical resources to accomplish those goals.

This amendment assures failure in the development and delivery of the technology which will bring Great Plains agricultural production into the 21st century.

While the Sidney facility needs modernization, the researchers are top notch and are conducting research which is of top priority to the administration, according to USDA Deputy Secretary Richard Rominger. In a letter to Chairman LEAHY, dated April 26, 1994, the Deputy Secretary described his work on two important initiatives for USDA research. He stated:

The first is the development of a single, comprehensive, and coordinated Departmentwide plan that will achieve the administration's goal to implement integrated pest management on 75 percent of the Nation's acreage by the turn of the century.

He continued, saying:

Just as important, I have directed research and extension leaders to devise a comprehensive program that will lead to research, development, and adoption of new, environmentally sound pest management alternatives.

Mr. President, I ask unanimous consent that a copy of this letter follow my remarks in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. BAUCUS. To cut this station would deal a harsh blow to the largest industry in a 4-State area in a single stroke which runs counter to the administration's stated goals. With noxious weeds costing over \$100 million annually in the northern Plains region, the investment in the work at Sidney is quite small and should be increased, not eliminated.

Agriculture Committee staff sought to allay my concerns over this action with an assurance that this action could free up these funds for other research activities in the region. While I might agree with that theory, the practice in Montana has been quite the opposite. As compared to the other States in the region, Montana already receives the lowest amount of ARS funds. Further, ARS has eliminated four scientist positions in Montana during the past 2 years.

This amendment would continue the reduction of the ARS presence in a State which derives 40 percent of its economy from agriculture.

Geographical location has always played a key role in the success of ARS efforts. Today, Montana operates seven State research stations to maximize the applicability of agricultural research. In Sidney, the State operation has joined in a cooperative effort with a Williston, ND, station and the USDA center in Sidney to create a model for other States to duplicate. Together, these three operations are maximizing scarce State and Federal resources and

avoiding expensive duplication. To cut this station will jeopardize research efforts in a large area.

Although this effort to streamline the USDA's research efforts is understandable, I vehemently disagree with the approach. Next year, we will debate a farm bill. That is the appropriate forum for reform of this kind. While I would still argue for an increase of the operation at Sidney, I do believe appropriate reductions could be recommended at that time and I look forward to working with the leadership of the Agriculture Committee on that endeavor.

For today, however, I remain convinced that next year is the time for this debate. I strongly oppose this amendment and I urge my colleagues to join me in this effort. Let us resolve this issue where it belongs—during the 1995 farm bill debate.

If the station in Sidney, MT, is going to be cut then I want Secretary Espy and Budget Director Rivlin to come to Sidney, MT, and tell those farmers, face to face, why this is appropriate.

All this effort to streamline USDA's research is understandable. I vehemently disagree with their approach. Next year we will debate a farm bill. That is the appropriate forum for reform of this kind—not here. Next year, when we take up the farm bill, we can deal with the various ARS offices.

I strongly urge my colleagues to reject the amendment offered here.

Again, let us take up this issue where it should come up, and that is in the farm bill next year.

EXHIBIT 1

LEAFY SPURGE IS REUNITED WITH OLD ENEMY (By Dennis Senft)

An insect that loves to eat leafy spurge, a range weed now infesting 2½ million acres on the Northern Plains, may bring some relief to farmers and ranchers. The weed, *Euphorbia esula* L., causes more than \$100 million in losses each year.

"Leafy spurge is ranked as one of the worst weeds in the Northern Great Plains and Canada, and it's getting worse every year," says ARS plant physiologist Paul C. Quimby, Jr., who is in charge of the Range Weeds and Cereals Research Unit in Bozeman, Montana.

"It expands its infestation by 10 percent annually, essentially doubling its original area about every 7 years. Spurge contains irritating chemicals; cattle and horses generally won't graze on it, and they sometimes refuse to eat nutritious forage growing nearby."

In recent years, ARS scientists have turned to biological control insects to curb spurge's spread.

"About 500 *Aphthona nigricutis* flea beetles released in one spot multiplied and practically eliminated leafy spurge from an area 18 by 20 yards by the end of the second year. By the third year, the cleared area measured 53 by 59 yards. And at the end of the fourth year, the beetles had cleaned the weed from an area 88 by 100 yards," says entomologist Norman E. Rees, who is also in the Bozeman unit.

Aphthona flava, the copper leafy spurge flea beetle, is so efficient at controlling the

weed that it has reduced some infestations from 57 percent of canopy cover to less than 1 percent in just 4 years. The tiny, one-eighth-inch beetle was first spotted in Italy, where it had completely defoliated leafy spurge in some areas.

"This demonstrates that insects are a bio-control method that works," says Quimby. "We now need to find ways to get these flea beetles, in combination with other insects, distributed and established over a much larger area so we can control leafy spurge."

"Chemicals are too expensive, at \$72 per acre, for temporary control on land that has value only for livestock grazing. Plus, chemicals kill desirable broad-leaf plants. No known approved herbicide has shown any promise in killing 3-year-old and older spurge plants. Some root buds have even sprouted 7 years after the soil was sterilized."

Adds Quimby, "Although *A. flava* and its close relatives are the most successful insects in our arsenal, we need to find many more to control leafy spurge. The adults of these flea beetles eat leaves and flowers and the larvae feed in the root hairs and yearling roots. We need other insects that bore into stems or eat shoot tips, so as to attack spurge in all possible ways."

Key to finding the right insects is to return to the spurge's native areas. Early settlers in this country probably brought the weed with them among seed stocks from their native European and Asian lands. There, predatory insects had evolved along with the plant, feeding on it and keeping it at low levels.

All insects that are candidates for introduction are carefully tested to make sure they survive only on leafy spurge and not on valuable crop plants or plant species native to North America.

"In our area, *A. flava* likes southfacing slopes, 18 to 20 inches of moisture per year, and generally sunny locations. It doesn't like clay or acidic soils or, possibly, shaded areas. We need to study a whole series of *Aphthona*, as well as other insect species, to find ones that adapt to the many different climate zones where spurge now thrives. Some areas are moist, others dry; some are hilly, others flat. And each zone may be home to spurge plants that are different enough that some species or subspecies of insect won't attack," says Rees.

More recent additions to the program include three *Aphthona* species—*abdominalis* from Europe, plus *chinchihii* and *seriata* from China. After their discovery, they underwent extensive testing by Luca Fornisari at the ARS European Biological Control Laboratory in Montpellier, France. Adult beetles emerged only from leafy spurge and from none of the other 21 key plants that are used to see if the insects might be able to live on plants not being targeted for control.

Then, beginning in 1992, ARS entomologist Neal R. Spencer established three spurge flea beetle species at 389 research sites in eastern Montana and North Dakota, making the first U.S. releases of *A. abdominalis* in 1993. ARS entomologist Robert W. Pemberton and Rees made the first *A. flava* releases in Montana in 1985, after thorough testing by Pemberton in Albany, California.

Now the black dot spurge flea beetle, a close relative provided by Agriculture Canada in 1989, is being pilot-tested at six sites in five states—Colorado, Idaho, Montana, Nebraska, and North Dakota.

The scientists arrange annual events at which weed control officials can pick up *Aphthona* insects, learn about their habitat

needs, and later use them to populate new areas throughout the Northern Plains. Rees estimates that more than 500,000 *A. flava* beetles, enough for 1,000 releases, have been distributed from the Bozeman site in the last 3 years.

Evaluation of how good the released insects are at controlling weeds can be time consuming and expensive. Scientists and technicians usually walk into release areas and manually record the distance insects have spread after the initial release and their impact on the plant population.

State-of-the-art remote sensing may make such work easier, faster, and cheaper. Spencer, along with ARS range scientist James H. Everitt and ecologist Gerry L. Anderson, who are in the Remote Sensing Research Unit in Weslaco, Texas, are cooperating in a study near Dickinson, North Dakota.

This past summer they used an airplane flying at 5,000 feet to obtain aerial video and photographic imagery of areas where insects were released to control spurge in the Theodore Roosevelt National Park in North Dakota and on Bureau of Land Management (BLM) areas in Montana. Those photos will form the benchmark measurement for subsequent photo comparison. The researchers hope to remotely measure the decreased infestation the insects cause. They will also integrate remote-sensing data with geographic information systems technology of monitor the spread or contraction of purge-infested areas.

In Bozeman, ARS plant pathologist Anthony J. Caesar is studying an area in the Lewis and Clark National Forest near White Sulphur Springs, Montana. Leafy spurge infestations there are disappearing without help from researchers.

"We have strong evidence that it is a coral fungus that promotes the effects of other fungi, including *Fusarium* spp. and *Rhizoctonia solani*, in the soil. Together, these fungi create an underground environment that hurts the weed's roots. We will continue the study, hoping to find a way to spread the organisms to other weed-infested areas," says Caesar.

In the infested range, circular areas 15 to 20 feet in diameter are expanding about 1 foot each year, producing land that has only about one-third or less of the surrounding spurge populations.

In other "germ warfare," ARS microbiologist Robert J. Kremer in Columbia, Missouri has identified several bacteria naturally present around the weed's roots that suppress seedling growth. Greenhouse studies show the emergence of weed seedlings was reduced by 50 percent after apply *Pseudomonas fluorescens* and *Flavobacterium*. Also, weed growth was reduced, and the main taproot was half the normal length. Kremer and colleagues plan to move studies to the field this year.

EXHIBIT 2

THE DEPUTY SECRETARY

OF AGRICULTURE,

Washington, DC, April 26, 1994.

Senator PATRICK J. LEAHY,
Chairman, Committee on Agriculture, Nutrition,
and Forestry, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Although much of the public focus has recently been on reforms to the nation's pesticide laws, there is much that the Department of Agriculture can do to ensure that producers have environmentally sound and economically viable pest management alternatives even without statutory guidance.

I have met with leaders throughout USDA to establish two important initiatives. The

first is the development of a single, comprehensive and coordinated Department wide plan that will achieve the Administration's goal to implement integrated pest management (IPM) on 75% of the nation's acreage by the turn of the century. Just as important I have directed research and extension leaders to devise a comprehensive program that will lead to research, development, and adoption of new, environmentally sound pest management alternatives. Planning for both initiatives is to be completed in time for inclusion in the Department's FY 1996 budget. In addition, we have entered into discussions with EPA and other federal agencies that will lead to the signing of a memorandum of agreement in July. The memorandum will set in place a process that will provide for the identification of research priorities and the expedited registration of new alternatives and biologicals in coordination with USDA's research and education efforts.

These initiatives are a tangible commitment on the part of USDA to meet producers' needs for the latest pest management tools and to replace pesticides which pose unreasonable risks. The Department's actions offer an opportunity to more effectively serve the interests of its customers in agriculture and its responsibilities to the public at large.

Knowing your strong and consistent efforts in these areas, I hope you will be as enthusiastic and hopeful as we are about the course upon which we have embarked. I look forward to your involvement and support in meeting our objectives.

Sincerely,

RICHARD ROMINGER.

Mr. LEAHY. Mr. President, I yield myself 1 minute.

First, it is always easy to say next year, the year after and the year after, we will do something that will actually save the taxpayers' money. The fact of the matter is the Senate has already gone on record virtually unanimously with a rollcall vote to do the kind of USDA reorganization that is required. We are already on record.

We talked about this in the last farm bill. We have to start consolidating. We do not need to wait.

I should also mention, as the Senator from Montana referred to a station in St. Croix, VI, that it is a quarantine worksite for the Mayaguez, PR, germplasm program. There is no other place that would work.

The senior Senator from Virginia is here. How much time does he require?

Mr. WARNER. The 5 minutes exactly given under the unanimous-consent. It is my understanding this 5 minutes was obtained under the unanimous consent.

Mr. LEAHY. I yield 5 minutes.

Mr. WARNER. Mr. President, I rise to speak on behalf of an installation that has served my State, indeed the adjoining States of North Carolina and perhaps other jurisdictions, for a very long time. It is known as the USDA Peanut Production, Disease, and Harvesting Unit, in Suffolk, VA.

Mr. President, I rise to defend this because it is on the list. You might say, "Senator if it is on the list how can you speak in support of the Leahy-Lugar amendment?" I do so for two

reasons. Every Member of this Chamber—if it is not on this vote it will be on successive votes and in successive years—will suffer some cutback in his or her State as a consequence of the reorganization of the Department of Agriculture. It is a reorganization that is long overdue.

The distinguished Senator from Vermont and the distinguished Senator from Indiana both have told me they are going to have to accept cuts in their States. So the easy vote, the political vote is to stand up here and rail against this amendment; go back home and say I did the best I could to save my particular entity. But I cannot do that in clear conscience, and then consistently try to vote for a reduction in the size of the Federal Government, reduction in deficit spending, and a series of other reductions which are deemed imperative, in my judgment, if this great Nation of ours is to get on a course once again of fiscal responsibility.

Just the other day the Chairman of the Federal Reserve reminded us over and over again in his speech: Until we begin to address the question of entitlements there is no hope. Likewise, until we begin to have the courage to address the cuts that hit our individual States as they relate to agriculture, we have no hope of achieving fiscal responsibility in our great Nation.

This is an interesting entity, small though it may be, nestled in Virginia. We are very proud of Virginia peanuts. And, for the nearly 16 years I have been privileged to serve here, time and time again I have fought on behalf of the peanut growers of America—indeed, Virginia—but of America. It is a valuable cash crop, it is a large export crop, and we have to support it.

But we also have to respectively take our individual cuts. I am hopeful the Secretary of Agriculture, given the discretion, will recognize that perhaps this was an ill-advised addition to the President's enumerated series of cuts in the budget.

I say that for an interesting reason. Virginia peanuts are quite unique. We are proud of ours as Georgia is proud of theirs, as Alabama is proud of theirs. But they are all different: Different soil, different flavor, different quantity of rain. Therefore this station specializes in analyzing the soil of the regions of Virginia and Carolina so we can continue to produce a very high quality peanut in comparatively small quantities. So, I am hopeful the Secretary will recognize the wisdom of this and I will urge him to do so.

But I cannot take the safe vote. I cannot take the political vote and vote against all of them being shut down. Take back the discretion from a Cabinet officer? Unless we let the Cabinet officers have the discretion to make the cuts there is no hope.

Vidalia onions—I confess, I have a small farm, whatever size you want to

call it, large or small, relatively speaking. I tried to grow some Vidalia onions which are grown in Georgia: Utter failure. Vidalia onions are unique to Georgia. It is one of the most famous products in agriculture. Each of us, in a very short period of the year, enjoy that spectacular quality onion.

The same with Virginia peanuts. They cannot be grown in identical size and flavor anywhere else in the United States or anywhere else in the world, for that matter. But we need the facility to watch the disease which afflicts this crop, to help advise us on the unique soil and moisture conditions. So I am hopeful, while I am supporting this amendment, the Secretary of Agriculture will see the wisdom that this small, relatively inconsequential facility, in terms of dollars—not the service it renders—will be spared from this list. I yield the floor.

The PRESIDING OFFICER. Senator from Mississippi.

Mr. COCHRAN. Mr. President, I yield 7 minutes to the distinguished Senator from North Dakota [Mr. CONRAD].

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, the amendment offered by our two colleagues, Senators LUGAR and LEAHY, is an amendment that I believe should be defeated by our colleagues. Let me stress that I have the greatest respect for Senators LEAHY and LUGAR and I think their efforts are certainly well-intentioned here. The results, unfortunately, would be to close facilities that have enormous benefit to the entire country.

Let me just say we have a situation in East Grand Forks, MN—this is not a plant that is in North Dakota, it is right across the border in Minnesota, but it serves our States as well as the rest of the potato industry—that creates research that is of enormous benefit to this country. This is a perfect example of what we preach in this body. We hear all the time that what we ought to have are private/public entities that cooperate, that use resources together in order to achieve a result. That is what we talk about.

That is precisely what is happening with respect to this facility in East Grand Forks.

It is supported by a budget that comes partly from USDA, but the significance of this facility and the value that it has to growers in the industry can be proven by the fact of the contributions that they make to the support of this facility. About half the budget comes from the National Potato Council, from the growers themselves, from extension services at the Universities of Minnesota and North Dakota.

Buildings at the facility are actually built and paid for by the growers themselves. This is the only facility of its kind in the country.

Mr. President, you do not have to take my word for the value of this fa-

cility. Listen to what the people around the United States say. This is from the University of Maine:

Today, the Maine potato industry relies totally on the facility at East Grand Forks for answers to problems in potato chip manufacturing, storage, quality enhancement and utilization.

That is from the State of Maine.

From Oregon:

Located in one of the largest potato producing areas in the United States, the Grand Forks lab has been a crucial component of the Nation's potato research equation. This lab has been important in work on high-quality, certified-seed potatoes, increased potato production and involved in continuous research projects to eliminate potato diseases.

That is from Oregon.

Mr. LEAHY. Will the Senator yield for a question?

Mr. CONRAD. I prefer to complete my statement and then I will be happy to yield.

From Wisconsin:

We, the Wisconsin growing community, desperately need this research arm available for economic development.

From Idaho:

We wish to make it crystal clear to the Federal Government that we, as a major processor of value-added potato products and our customers, such as McDonald's, Wendy's, Kentucky Fried Chicken, who sell our products to millions upon millions of consumers not only in this country but around the world, have benefited enormously from the work that has been done over the years at this facility.

And they go into a long technical description of the research that is done at this facility that is of value to the industry.

Mr. President, from Washington State University:

The United States has the best quality and widest selection of foods in the world and at the lowest cost to the consumer, in terms of percentage of disposable income, of anywhere in the world and at any time in history.

(Mr. WELLSTONE assumed the chair.)

Mr. CONRAD. Mr. President, that is no accident. That is partly a result of the superb research that we do in this country. I know the occupant of the chair, who is unable to talk on this subject because he has the responsibility of chairing, agrees with the need to support this facility.

The fact is, the Appropriations Committee reviewed this matter and made a determination based on evidence that this facility ought to remain open. I think the amendment being offered today is ill-advised.

The fact is the growers put up money to support it, the industry puts up money to support it, research facilities around the country put up money to support it, growers from other potato growing regions, including Maine, Nebraska, Oregon, Washington, Michigan, Wisconsin, Colorado, and Idaho, benefit from the work of the lab and have writ-

ten us and urged us to keep the funding for this facility.

The research is vital. It is critically important to keeping America competitive. This is a one-of-a-kind facility in the United States. In fact, it is a one-of-a-kind facility in the world. It ought to be kept.

I yield time to my colleague from North Dakota, Senator DORGAN.

Mr. DORGAN. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 1 minute.

Mr. DORGAN. Mr. President, that is sufficient. The Senator from North Dakota, Senator CONRAD, has said it well. This is exactly the kind of facility that works and works well. It combines resources of the Federal Government, the potato growers in our region, the university, and does vitally needed research.

I believe we ought to cut spending and I believe there are civilian/Government facilities that ought to be closed. I have supported programs that were unnecessary and will continue to do that. But let us do this in a thoughtful, not a thoughtless, way.

This kind of facility is strongly supported by Senator WELLSTONE, by Senator CONRAD, and myself precisely because it works and works well, and it is exactly what we ought to be doing: research, promoting the common good, and this kind of commodity in a way that combines our resources with the resources of the private sector.

Mr. President, with that, I yield the floor.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I yield myself such time as necessary.

I am sorry the Senators were not able to yield time for a question. I will point out a few things I would have raised in those questions.

One is that the facility was not chosen willy-nilly to be put on this list. Being put on the list does not mean automatic closing, but it was put there after a 2-year process evaluating all facilities.

Second, the original mission of this facility, for potato post-harvest handling and storage, has largely been completed. I point out that while it might be nice for everybody to have one of these facilities, everybody should have one in their back yard like the Chinese did with steel smelteries during the so-called great leap forward. It does not make any more sense than that did.

The current research and development duplicates what is going on in Fargo, ND, already. The East Grand Forks work can be transported to Fargo, ND, where you at least have a critical mass of scientists. There are only three left in East Grand Forks.

I point out that not only is it substantially similar to work already

being done in North Dakota at taxpayers' expense, but North Dakota itself has made the decision that it does not need this facility in Minnesota. North Dakota, in the past, spent money to help support it. But now that it is already being done and basically duplicated in Fargo, they have not sent any money to Minnesota for the last 3 years. They do not see the need for it. Why should we argue to do it?

The fact of the matter is, Mr. President, we are talking about making a dent, possibly, potentially in about 10 facilities. There are more than 250 agricultural research facilities in this country. There is an agricultural research facility in this country for every four people in my hometown. Here, we are talking about maybe taking 10.

Can any one of us honestly stand up on the floor of the Senate and say we will ever cut the agricultural budget if we can only say yes to cutting in the abstract but no to cutting in the specific? We are never going to cut anything. All we are saying is at least let the Secretary have the authority.

I applaud the Senator from Virginia, Senator WARNER, who stood up and said that cuts will come in his State but that we are going to have to do it. The USDA reorganization package which Senator LUGAR and I brought to this floor and this body voted for virtually unanimously will eventually mean cuts in the State of Indiana. It will eventually mean cuts in the State of Vermont and in the State of North Carolina. In fact, I can name every one of the 50 States that eventually will have cuts. We all voted for it.

I went back to the State of Vermont and talked to the people there and said, "Look, this is the right thing to do, but some of you are going to see the jobs cut, you are going to see the facilities cut."

I went to the places that are going to be cut. They said, "We understand it." They said, "We understand agriculture is changing. We understand, for example, in the agricultural research facilities, that we cannot afford all of them."

We have also supported construction of more than 100 agricultural research facilities through the Cooperative State Research Service in the past 10 years.

In fiscal year 1993, there were 72 active facility construction projects administered by CSRS.

They are not going to be cut at all by this. The land grant university system has 76 universities and colleges.

At some point we have to say no. Now, the folks in North Dakota have decided during the past 3 years not to spend any money to fund this.

Mr. CONRAD. Will the Senator yield on this?

Mr. LEAHY. In a moment, and I will yield on the Senator's time. Virtually

everything here could be moved to Fargo, ND.

I yield the floor and retain the remainder of my time.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, I yield 5 minutes to the distinguished Senator from Montana [Mr. BURNS].

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. I thank the ranking member, my friend from Mississippi.

I wish to also advise my friend from Vermont that there may be 250 facilities. I say cut none of them. This country eats awfully good. We spend less dollars, disposable income for our food in this country than any other country in the world. We produce it cheaper. There is a reason for it. It is because we have invested in research.

Now, you can go around to the parties here in Washington, DC, and talk about many things. Weeds is not one of those front-page issues you want to get into. But the public land managers of this country have not done a good job in controlling noxious weeds, especially with chemicals. So you have to have a facility that is on the cutting edge in the biosciences, and do it naturally. No other facility is doing that—none other. It is being done at Sidney, MT, along with the cooperation of Montana State University.

That is what we are talking about here. It is pretty easy to look at this budget and say you are going to save \$18 million. But it is going to cost you \$17 million to close them, with nothing coming out of those facilities that contributes to feeding this Nation. It is pretty easy to say, well, we eat pretty good.

If you have a full mouth and a full stomach, we can cut out some of this stuff. We can do that. But, I say to the Senator, one of these days—you are not going to see it, and I am not going to see it, but I think my grandchildren will—we will be hungry in this Nation, and it will be because we have put research in agriculture on the back burner.

I am on the Commerce Committee. I am ranking on Science and Technology, and NASA. We understand research and how important it is in all parts of our life, the investment we make in research and development, new ways of doing things.

My friend from Montana brought it up very ably. We are going to consider the Clean Water Act. We are going to make some decisions based on science. He is exactly right. And this facility in Sidney has the biggest data bank as far as nonpoint source off irrigated agriculture. He made the point very ably, and it should not be overlooked. It is the only facility in the upper Midwest. We cannot test what we do on the high plains in Beltsville or even Minnesota,

with all due respect. It has to be in a semiarid part of the world. It is a single facility that has a very definite mission, and they are very good at what they do.

But, Mr. President, this saves no money. It puts money in the bureaucrats' pockets and does not point that money toward research and development. So to the Senator from Vermont, I say, no, we should not cut a one. In fact, we ought to be doing more investment in that respect because the first obligation of this body is to make sure this society can feed itself, because the second thing we do every morning is eat. I do not know what the first thing you do is, but I know the second thing is you eat. That is how important these facilities are to Americans.

I urge my colleagues to vote against this amendment.

I yield the floor and I reserve the remainder of my time.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I yield 8 minutes to the distinguished Senator from Florida [Mr. GRAHAM].

Mr. GRAHAM. Mr. President, the able Senator from Vermont described what we were doing here as willy-nilly going through and reversing rational decisions that have been made. The letter which was sent to each of us by Senator LEAHY and Senator LUGAR stated that USDA evaluated each agricultural research service facility using six basic criteria including cost of maintenance, repairs, productivity, impact of research, et cetera.

I challenge the scientific basis upon which these judgments were made. I find them to be both ill-informed and arbitrary. Let me give some specific examples, Mr. President. First, when this review of facilities was examined, it was found that the Department did not include the cost of relocating staff and laboratory equipment in arriving at the economics of the recommended closures.

The Department did not estimate the cost of disposing of these surplus facilities, including possible hazardous waste cleanups.

There was no formalized ranking process among the Agricultural Research Service Centers to determine which were relatively high or low or medium in terms of their contributions and priority.

Mr. President, there is one of these stations in which I have a personal, longstanding knowledge and interest, and that is Chapman Field, which has been a major center for many years for tropical and subtropical research. One of the reasons that was given for recommending the closure of Chapman Field was that it had been damaged extensively by Hurricane Andrew.

That happens to be a true statement. But what was not included is that this

Congress has appropriated \$15 million to Chapman Field and a similar Agricultural Research Center in Hawaii, both of which were damaged by hurricanes in 1992. The Chapman Field repairs are now 95 percent complete. We are about to close down a station upon which we have just spent millions of dollars bringing up to a high standard of current condition—not, in my judgment, a very rational recommendation, a clear indication that this process of decisionmaking was flawed because the people who made the decision did not even realize that the Federal Government had just spent millions of dollars repairing the hurricane damage.

To speak further about Chapman Field, Mr. President, this is a major research center for the specialized agriculture in my State and other States and territories and Commonwealths of the United States which have a tropical or subtropical agriculture. The Chapman Field plant introduction station performs a unique service in terms of allowing our country to benefit by tropical and subtropical agriculture from around this world.

This is not an outdated facility. No other lab in the United States provides the type of research on nonindigenous insects and diseases and on new plant varieties that Chapman Field provides.

This facility does cutting-edge work on germ plasma. This is the extraction of DNA materials from plants and storage of it so that in the event there is destruction of crops, there will be the opportunity to regenerate them through germ plasma. The proposal is to move this research to Puerto Rico. The problem is, Mr. President, that is not an acceptable location; that there would have to be an extensive period of shutdown and startup, and possibly even a period of quarantine for products coming back into the United States.

The practical effect of this would be to throw away years and hundreds of thousands of dollars in research that has been conducted on germ plasma, particularly for tropical and subtropical agriculture.

Finally, Mr. President, we are not talking about an extraordinary or inordinate expense here. The budget impact is minimal. The administration proposal to close Chapman Field will save \$330,000 per year, Mr. President, in order to get the benefits that this Nation has, is currently, and should in the future continue to receive, as a result of specialized commitment to agriculture that Chapman Field represents.

So, Mr. President, I believe that the process of analysis was flawed in its application to Chapman Field, is not in the Nation's interest, and therefore I urge the defeat of this amendment.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. Who yields time? The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I yield such time as the Senator from Indiana may need.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. LUGAR. Will the Senator from Vermont yield to me?

Mr. LEAHY. I yield 8 minutes to the Senator from Indiana.

Mr. LUGAR. Mr. President, this debate today is a critical juncture in the debate on reform of the U.S. Department of Agriculture. It represents the first substantial test of the will of the Senate, perhaps of the country, to do an important job. Many of our colleagues have asked, "Why Agriculture? Why not the Department of Defense, or Transportation, or Commerce, or any other Department of the Federal Government?" All are alleged to have expenditures that are too high, too many employees, too many facilities, and too many activities that have not been closely examined.

In the Agriculture Committee, chaired so ably by the distinguished Senator from Vermont, we have been trying to make certain that agriculture in our country is not only well represented and well cared for, but that we are on the right track with regard to the people that we hold most dearly; that is, the farmers, the productive people of our country, as well as the consumers who are their customers.

We believe that if we do not clean up the problems of the USDA, others are going to do so. Farmers in this country are a very substantial minority, sometimes suggested as only 2 percent of the population. People are counting on us to do the right thing.

Long ago, 2 years ago February, I raised a question in a press conference one day using data supplied by the Federal Government that there were 50 USDA field offices that were spending more in payroll and overhead than the programs that they were supporting—substantially more. I asked the Secretary of Agriculture why they should not be considered for closing or merging or some reorganization. People came to the fore. And in the next press conference I held, I said there were 150, as a matter of fact, where the administrative cost exceeding outgoing payments. I suggested to Secretary Madigan in 1992 that he use his authority, which he clearly had, to close those offices.

Just for the Record, in my own home State, I suggested to the ASCS State committee that it examine the activities in Indiana of our offices. The Farmers Home Director, George Morton, noted that there were 39 offices in Indiana serving Farmers Home. In the course of the following year, he closed 9 of them; from 39 to 30 in that year, with the full cooperation of the agriculture community of Indiana.

In the ASCS situation, the head of the State committee at that time with

the unanimous consent of the State committee suggested that Ohio County be merged with Dearborn County.

This came in a response to a challenge which I gave to my people in Indiana; that is, I said I wonder if it is conceivable if a single office might be closed anywhere in the United States of America. The answer coming at least from the head of the State committee and the Indiana ASCS committee was indeed there can be.

I would be the first to admit that that closure caused a great commotion in USDA. The Secretary even questioned whether they had authority to close the office or to merge it. But indeed they did, and indeed the closure occurred, and the merger has worked well.

Mr. President, on Christmas Eve, literally, this last Christmas, I received notice as a farmer in Marion County, IN, that the ASCS office that I use was to be closed. The operation moved to nearby Johnson County. I applauded that activity. I said perhaps now all over America USDA is moving forward with reform. But I was wrong. It was another unique example in Indiana; two out of all of these offices across the country.

I make this point, Mr. President, because we come now to the moment of truth. The Agriculture Appropriations Committee knows the Secretary of Agriculture is taking a look at 120 Agricultural Research Service offices, and said 19 of these are offices that should be closed. He has that authority. But Senators put back into this bill the names of 10 offices and suggested they should not be closed. They were slipped into the bill. That is what Senator LEAHY and I challenge. We said let us get back to ground zero again. Let the Secretary of Agriculture have the authority to review these offices. The Senate voted 98 to 1 to give the Secretary that authority. In my judgment, he had already the authority.

At some point, there has to be the courage to move ahead to close at least 1, 2, or 10 offices somewhere in America. And the criteria have been set by two Secretaries who have gone through the entire process of rating over 7,500 offices to find the 1,200 or 1,300 that seem to offer the least amount of service to the people of America, generally. There could be argument at the margins. But let me just say, Mr. President, the two offices closed in Indiana in Marion County and Ohio County were by no means the least efficient of the national list. They were well up in the batting order. That would be true of a great number of offices, if we were in fact to be very objective about what they do and what they offer.

I will just add, Mr. President, the President of the United States has offered a budget which assumes the closure of all of these offices plus 1,300 field offices under the agency, plus the

amalgamation of at least 20 branches of the USDA. All of this is assumed in the budget now. Vice President AL GORE assumed it last year in reinventing Government, that \$2 billion would be saved by all of these operations. The money has been counted twice—by the Vice President, and now by the President. And here we are today, in the first nibble again, to see if it can be unraveled.

Mr. President, our amendment is so important to establish the fact the Senate means business, that the country means business, that you cannot continue to keep everything open all over America in response to the heart-felt needs of constituents who may be close by, if we have any prayer of making a change in the deficit or in the credibility of the organization.

I make the case of USDA. It has the dinosaur impulse, something to continue lumbering on with agencies, with offices, with persons long ago unnecessary. Even Secretary Espy's plan eliminates only 7,500 people of the arguably 125,000 people now in the USDA as the agricultural population of the country declines substantially, and the number of counties that now have even 20 percent of their income from agriculture, less than 1 in 6. It will not sell, Mr. President.

For those who are watching this debate, very clearly the answer they want us to give is that we are serious, not about decimating American agriculture, but cleaning up our act. That is what they want to see, and they want to see it now, and some evidence that we are not rolling back the clock in our arguments.

I thank the Chair.

Several Senators addressed the Chair.

Mr. COCHRAN. Mr. President, I yield to the Senator from North Dakota [Mr. CONRAD], two minutes.

Mr. CONRAD. Mr. President, I hope those who are watching the debate conclude that it is important for us to make additional cuts. We are making additional cuts. We have approved cut after cut for agriculture. Agriculture has taken the biggest cut proportionately of any part of the budget.

Mr. President, I hope that this rush to cut is not some mindless exercise that does not look at the evidence. When my esteemed colleague from Vermont says North Dakota has written off this research facility, nonsense. Number one, this facility is not in North Dakota. It is in Minnesota. The State of Minnesota supports this agency. The National Potato Council pays for about a quarter of the budget.

Mr. LEAHY. Will Senator yield on my time?

Mr. CONRAD. I do not yield.

The growers of North Dakota, Minnesota, and the surrounding region put in money to support the work of this agency. And why? Because it is impor-

tant. J.R. Simplot, one of the major companies in this country in potatoes, says in a letter to me:

Now that the trade barriers are being eliminated, no other country in the world can compete with us in terms of quality and costs. The Red River Valley Potato Research Lab is a key element in our strategy to maintain and further strengthen our world dominance.

It is a key part of it. It is not a matter of duplicative research, of people deciding it does not have a value. The fact is that the growers themselves put their own money into this facility because of its value. I can tell you that growers do not put their own hard-earned money into a research facility unless they are absolutely persuaded that it has value. That is also true of the National Potato Council, the State of Minnesota, and all of the others who contribute.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. LEAHY. Mr. President, I yield myself 30 seconds. Let there be no mistake about what I said. The State of North Dakota funded research at East Grand Forks in the past, but for the past 3 years, it has not contributed one cent.

Mr. COCHRAN. Mr. President, I yield my remaining time to the distinguished Senator from Oklahoma [Mr. NICKLES].

Mr. NICKLES. Mr. President, I thank my colleague from Mississippi for his leadership. Let me just say that looking at the amendment that is offered by my friends and colleagues, Senator LEAHY and Senator LUGAR, this amendment does not save any money. It has nothing to do with saving money. It just says that the Secretary can close these offices.

I call to the attention of my colleagues that if you want to save money—I am looking at the committee report. I heard people say it will save \$8 million, and I also heard \$18 million. That is not what is in the report. It does not say anything about saving dollars, just closing offices.

I just mention to my colleagues why some of our colleagues are trying to close the offices, some of which go back for decades. In the committee report on pages 26 and 27 it says the administration requested \$25 million for new facilities, and the committee is funding \$32.7 million for new facilities.

So I applaud my colleagues for their interest in being fiscally responsible. While they are trying to close a few established facilities that are doing good work in some of the States, like a facility in El Reno, OK, we are creating a bunch of new facilities. I will not read the list, but they are there for my colleagues to see. There are \$32 million worth, some of which I just estimate and guess are not nearly as needed as some of the ones doing research in existing areas.

I compliment my colleague from Indiana. He has been active in trying to close down a lot of facilities. We are not closing facilities in Seoul, Korea, we are not closing facilities in the Virgin Islands, we are not closing facilities in Buenos Aires, Argentina. Those are facilities that rank much lower on their criteria than some of the facilities that are slated to be closed. I compliment my colleague from Mississippi.

The PRESIDING OFFICER. The Senator from Vermont has 9 minutes 36 seconds.

Mr. LEAHY. Mr. President, I take issue with the Senator from Oklahoma saying this does not save any money. First, there will be some costs, just as with closing a base. After the first year, closing these 10 facilities would save approximately \$7.5 million per year, every year, forever, in direct costs. It will also avoid another expenditure of another \$10 million in repair costs.

He spoke to the ARS facility in El Reno, OK. This facility has five scientists, less than one-third of its full capacity, which would have been 17. Its facilities are old and badly in need of repair. In fact, they have 89 separate buildings at this site, which is about 18 buildings per scientist. Well, just repairing and renovating them would cost around \$8 million. That is five times the program funding level just to repair and renovate it. Eighteen buildings per scientist.

Mr. CONRAD. Will the Senator yield?

Mr. LEAHY. I would love to, but I know the Senator from North Dakota has set the precedent of not yielding to anybody for a question, and it is a wonderful precedent.

Mr. CONRAD. Will the Senator expand the unanimous consent request so we can get more time?

Mr. LEAHY. I will yield for a question, even though he does not like to yield. I will be delighted to, but in a moment. Similar research is being done in Nebraska and in Miles City, MT. It could be transferred to either place where you have facilities and scientific expertise.

The point comes down to this. This is not pro- or anti-agriculture by any means. We are not about to stop agriculture. We may stop some construction and repair work of outdated, outmoded research facilities, but it is not pro- or anti-agriculture. The Senator from Indiana and I would not be supporting it if it were. You would still have 250 agricultural research facilities.

So it is not a question of pro- or anti-agriculture; it is a question of courage. Do you have the courage to cut the budget or not? If you cannot cut out 10 agriculture research facilities out of more than 250, how in Heaven's name are we going to cut a \$200-billion deficit? This is not a matter of agriculture policy; it is a matter of having the guts to do something.

I will yield 30 seconds to the Senator from North Dakota, without losing my right to the floor, for a question.

Mr. CONRAD. I thank my colleague. I would like to make the point and say this. When he measures the worth of these facilities by the number of scientists who are there, I recall a statement that former President Kennedy made at a ceremony at the White House in which Nobel Prize winners were in attendance. President Kennedy said, "I think we have the greatest collection of wisdom in this room since Thomas Jefferson dined alone."

I just say to my colleague, I think when you start to measure the worth of facilities by the number of scientists there, you have missed the point. The question is, what is the value of the research being done there, not the number of scientists who are there. I hope my colleague from Vermont will agree with that assessment.

Mr. LEAHY. I point out that the agriculture bill here has \$68 billion in it. If you want to quote President Kennedy, the whole Federal budget during President Kennedy's time was barely that amount of money—the whole shooting match. So if you want to quote him, would you like to go back to what the agriculture budget was then? The cost of agriculture now is virtually what the whole Federal budget was back then. I mean, goodness gracious me, we have to start making some cuts. That is all this is.

Mr. NICKLES. Will the Senator yield?

The PRESIDING OFFICER. The Senator has 4 minutes 38 seconds. The other side has 11 seconds remaining.

Mr. COCHRAN. I ask unanimous consent that a statement including questions and answers from the hearing record, where I ask the ARS questions about the savings that would be realized by closing these facilities, be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

QUESTIONS SUBMITTED BY SENATOR THAD COCHRAN—ARS/RESEARCH FACILITY CLOSURES AND REDUCTIONS

Question. How much will it cost ARS to transfer and close out the 19 research locations, as proposed in the fiscal year 1995 budget? How can you redirect existing resources to higher priority program areas in fiscal year 1995 if you need to offset closing and relocation costs.

Answer: Based on a preliminary assessment of permanent employees, we project that approximately 75 percent will relocate. Based on this assessment, it is estimated that ARS would incur approximately \$17.4 million for expenses in FY 1995. These consist of relocation expenses for permanent employees being transferred, severance and lump-sum payments for permanent employees involuntarily separated, and miscellaneous costs associated with the disposition of existing facilities. There will be some continuing costs associated with the security and maintenance of facilities until final disposition.

In FY 1995, a portion of the savings to be achieved through the proposed closures will be available for reallocation to higher priority research. However, in FY 1996 and beyond, all of these savings will be available for reallocation.

Mr. SIMPSON. In April of this year, I contacted the Agricultural Research Service regarding the importance of leafy spurge research to my fine State of Wyoming and to the United States. Leafy spurge is a major weed which is causing Agricultural damage in 75 percent of the United States. In Wyoming, the northern tier of counties is inundated with this weed.

ARS informed me that if the Sidney, MT research facility were to be closed, leafy spurge research would then be transferred to the USDA-ARS Bozeman, MT facility. Of course, appropriate funding levels for leafy spurge research would be maintained when the program was transferred.

The administration's review of USDA research facilities and its recommendation for 19 Agricultural Research Service facilities continues the sorely needed reorganization of the Department of Agriculture. Consolidation of facilities does not mean the elimination of funding for important research programs.

Is it your understanding that the leafy spurge research programs will be maintained at appropriate funding levels and transferred to the USDA-ARS Bozeman, MT facility if the USDA-ARS Sidney, MT facility were to be closed?

Mr. LUGAR. Yes. It is my understanding that the leafy spurge research programs and other research programs will be transferred to the USDA-ARS Bozeman, MT facility if the secretary were to direct the closure of the USDA-ARS Sidney, MT facility.

Mr. SIMPSON. I thank my colleague for this important clarification.

Mr. LEAHY. I am prepared to yield the remainder of my time, Mr. President.

The PRESIDING OFFICER. If all time is yielded back, the question is on agreeing to the amendment in the second degree.

The amendment (No. 2307) was agreed to.

VOTE ON AMENDMENT NO. 2306, AS AMENDED

The PRESIDING OFFICER. The question is on the first-degree amendment, as amended.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Hawaii [Mr. INOUE] is necessarily absent.

The PRESIDING OFFICER (Mr. FEINGOLD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 76, nays 23, as follows:

[Rollcall Vote No. 209 Leg.]

YEAS—76

Bennett	Gorton	Moseley-Braun
Biden	Gramm	Moynihan
Bingaman	Grassley	Murkowski
Bond	Gregg	Murray
Bradley	Harkin	Nunn
Brown	Hatch	Packwood
Bryan	Hatfield	Pell
Bumpers	Heflin	Pressler
Byrd	Helms	Pryor
Campbell	Hollings	Reid
Chafee	Jeffords	Riegle
Coats	Kassebaum	Rockefeller
Cohen	Kennedy	Roth
Coverdell	Kerrey	Sarbanes
D'Amato	Kerry	Shelby
Danforth	Kohl	Simon
Daschle	Leahy	Simpson
DeConcini	Levin	Smith
Dodd	Lieberman	Specter
Dole	Lott	Stevens
Domenici	Lugar	Thurmond
Exon	McCain	Wallop
Faircloth	McConnell	Warner
Feingold	Metzenbaum	Wofford
Ford	Mikulski	
Glenn	Mitchell	

NAYS—23

Akaka	Craig	Lautenberg
Baucus	Dorgan	Mack
Boren	Durenberger	Mathews
Boxer	Feinstein	Nickles
Breaux	Graham	Robb
Burns	Hutchison	Sasser
Cochran	Johnston	Wellstone
Conrad	Kempthorne	

NOT VOTING—1

Inouye

So the amendment (No. 2306), as amended, was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I know there are Senators on this side who wish to offer amendments. Senator HELMS has been waiting to offer an amendment and Senator BROWN has. I do not know if there is any particular order, but I hope the Chair will recognize someone on this side to offer an amendment.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Heflin amendment is the pending question at this time.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Heflin amendment be temporarily laid aside for the purpose of the Senate considering another amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

MR. BRADLEY. I thank the Chair.

Mr. President, if I can get the attention of the floor manager of the bill, I

have an amendment I will momentarily send to the desk. I say to the distinguished chairman of the committee that I am prepared to enter into a time agreement on that amendment of no longer than 30 minutes, equally divided. I do not think it will take that long.

Mr. COCHRAN. If the Senator will yield, I can assure him it will take quite a bit longer than that, and there will be no agreement on time on this amendment.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I see the majority leader. Can I have the majority leader's attention for just a moment? A proposition has been offered on the Republican side to have a couple more amendments considered, or at least one more considered and a roll-call vote, and then try to develop an exclusive list of amendments to be debated this evening, with votes tomorrow.

I do not really have a dog in the fight. I do not care. I am prepared to stay here all night, but I defer to the majority leader if he has any thoughts on that.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President, it is unclear from the Senator's statement whether the list would be completed tonight and the votes that would occur tomorrow morning would include final passage of the bill.

Mr. BUMPERS. The idea is that any amendment on the list which is apparently in the process of being developed on this side—we have not run a hot line on this side—but whatever that list was, those amendments would have to be offered this evening, and I think that is the only way we are going to finish this bill today or tomorrow.

Mr. MITCHELL. So I take it the Senator's answer to my question is, yes, the votes that would occur tomorrow morning would include final passage of the bill?

Mr. BUMPERS. Yes.

Mr. MITCHELL. Debate all the amendments tonight, finish the bill and the votes tomorrow morning, in lieu of staying in this evening and debating and voting on the measure; am I correct in my understanding on that?

Mr. COCHRAN. My understanding is that on our side our leader would hope that we would not have any votes after 6 o'clock tonight.

Mr. MITCHELL. I just say to my colleague, to accommodate our colleagues, we had no votes before 2:30 today. Now there is a request there be no votes after 6, following a day yesterday in which we had no votes at all.

I want, of course, to be accommodative, but the time within which we are asked to vote is getting narrower and

narrower each day. We are now looking for windows in which to have votes instead of a window in which not to have votes. I have no problem with that provided that—and as I understand the answer was in the affirmative—there would be completion of the amendments this evening and the votes would occur tomorrow morning and the last vote would be final passage of the bill.

That is what I understand. Am I correct in that understanding, I will ask the Senator from Mississippi?

Mr. COCHRAN. I am not certain at all that you could complete action on the amendments this evening. At this point we do not have a list of amendments that we know will be offered. We do not know the subject matter of any, all of those amendments and I think that is something that would be yet to be determined. We are unable to reach an agreement without knowing what the amendments are.

Mr. BUMPERS. Mr. President, in response to the majority leader's question, it had been my understanding that we would develop this list, and everybody on that list would have an opportunity to offer their amendments tonight and we would vote on them tomorrow.

Now, let me say I am not prepared myself to accept that until I see the list. I have no interest in being here until 4 o'clock in the morning entertaining all these amendments. If the list is too long and we do not get time agreements on them, then I think this proposal is not going to work. On the other hand, if you had five amendments on this side and five amendments on that side and 30-minute time agreements on all of them, then that would suit me fine.

Mr. MITCHELL. But Senators should understand that the proposal is offered as an alternative to doing what we should be doing, which is staying here and debating and voting on the amendments this evening.

Mr. BUMPERS. Absolutely.

Mr. MITCHELL. So what I do not want to happen is to say we will not stay and deal with the bill tonight but we will come back and deal with it tomorrow, because I guarantee you from experience tomorrow we will face the same situation and the day after.

So what I am saying is either alternative is agreeable to me. I leave it to the managers. Either we stay this evening, debate and vote on amendments or we get an agreement in which the votes could occur tomorrow. But what I do not want is to have one part of each of those alternatives, the one part being we do not have any debate or votes tonight and we come back tomorrow and just start in and then I would face the same thing tomorrow. Someone will ask no votes before 10, no votes between 11 and 1, no votes between 2:30 and 4, no votes after 6, or the usual process.

Mr. COCHRAN. Mr. President, will the distinguished leader yield for a question?

Mr. MITCHELL. Yes, certainly.

Mr. COCHRAN. One question I have is that it seems inappropriate to me for the Senator to ask us to enter into an agreement when no Republican has offered an amendment yet to this bill. There has been a cosponsorship of an amendment, the Leahy-Lugar amendment that has just been disposed of. We have been debating a Heflin amendment. We adopted a Leahy amendment yesterday on wetlands reserve. We adopted a Daschle amendment yesterday. It seems in pointing out to the Chair, for example, if there were Republican Senators waiting to offer amendments and then when the Republican Senator sought recognition, the Chair recognized another Democrat for the purpose of offering an amendment—

Mr. BUMPERS. If the Senator will yield—

Mr. COCHRAN. It seems to me, if we are going to talk about blaming this side for not wanting to vote after 6 or having to stay in all night, this kind of consideration ought to be a part of the decisionmaking process. So that there can be parity, there can be fairness.

Mr. MITCHELL. Mr. President, I was not blaming anyone. The requests I get for no votes here and there come from all Senators, Democrats and Republicans.

Mr. COCHRAN. I heard it just the other way. I thought the Senator was saying—

Mr. MITCHELL. I was not blaming anyone. Second, I will point out, the Senator says there have been no Republican votes. I am looking at the list of votes and at 3:12 this afternoon we voted on a McCain amendment.

Mr. FORD. Two votes.

Mr. BUMPERS. Two votes.

Mr. MITCHELL. I have just been handed the list.

Mr. COCHRAN. The Senator is correct.

Mr. MITCHELL. It is inaccurate to say there have been no votes on Republican amendments. I have no objection to Senators offering amendments. I do not know what the amendments are to this bill. If someone has them, why not offer them and debate and vote on them?

That is what I was suggesting. I was asked—the Senator sought my attention—whether I would be agreeable to making up a list and putting votes off until tomorrow. I have no objection to that. But what I do not want is to say there will be no votes this evening and then we will just start on this tomorrow and get back in the same boat we are now in. If a Republican Senator wants to offer an amendment, by all means, stand up and offer it now. I am perfectly agreeable to that.

Mr. BUMPERS. Mr. President, I think it must be premature to try to

get an agreement at this point. Let me just suggest, if the majority leader has no objection to this, that we try to compile a list of the amendments, look at the amendments and then see where we are.

Mr. MITCHELL. I think that is fine. And while you are doing that, why not have a Republican Senator offer an amendment.

Mr. BUMPERS. Senator BRADLEY has just been recognized by the Chair to offer an amendment. Senator HELMS wants to offer an amendment, with a 30-minute time agreement, which the Senator from New Jersey is willing to do.

How much time does the Senator from Colorado need?

Mr. BROWN. I would be happy to enter into any time limit the majority leader might designate.

Mr. BUMPERS. Thirty minutes?

Mr. FORD. No. Mr. President, the Senator from Colorado has gone to meddling into Kentucky's business. And when you do that, I have to say that we are going to debate it a little while. I apologize to the leader because I do not want to, and I do not understand why we are having the amendment because it penalizes the farmer again; the U.S. farmer gets the shaft and the foreigners, the other countries, get the blessing of the cash.

So under those circumstances, Mr. President, the Brown amendment is going to take a long time, and we may even see grazing fees before the night is over.

Mr. MITCHELL. Well, Mr. President, might I suggest to the managers that Senator BRADLEY and Senator HELMS have agreed to offer amendments under a 30-minute time limitation. If we can do those, that would give you an hour, plus the voting time, and by then, perhaps, you could put together a list and see where you stand. I think it is better to take small steps at first.

Mr. BUMPERS. Will the Senator from New Jersey be willing to stack the vote on his amendment, we get an agreement the Senator goes now, Senator HELMS goes, then we vote on both of them?

Does the Senator have any objection to that?

Mr. BRADLEY. I have no objection.

Mr. BUMPERS. Mr. President, I ask unanimous consent—

Mr. MITCHELL. Mr. President, the Senator from North Carolina has a question.

Mr. HELMS. My question I think has been answered. Do you intend to have both Senator BRADLEY's amendment voted on tonight and mine? Is that correct?

Mr. BUMPERS. I understand the Senator wanted the yeas and nays on his amendment.

Mr. HELMS. Yes.

Mr. BUMPERS. What I was going to suggest is that we debate both of these

amendments, Senator BRADLEY's 30 minutes, Senator HELMS' 30 minutes, after which we vote on those two amendments.

Mr. HELMS. Very good.

Mr. BUMPERS. Mr. President, I ask unanimous consent—

Mr. BRADLEY. Mr. President, if I could accommodate the distinguished chairman and also debate the amendment, I would have no objection if the distinguished Senator from North Carolina would like to go first in the debate so that we could say we have gone Democrat and Republican and I will go after that. I have no objection to that. However the chairman and the ranking member would like to structure the debate. The point is the distinguished Senator from North Carolina and I will have votes on our amendments in an hour.

Mr. BUMPERS. Mr. President, before entering into this agreement, I wonder if the Senator from North Carolina could give us some idea of what his amendment is.

Mr. HELMS. It is about the use of taxpayers' money on various activities by the Department of Agriculture.

Mr. BUMPERS. Does this deal with tobacco?

Mr. HELMS. No.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the amendment of the Senator from New Jersey be 30 minutes to be equally divided, and that no second-degree amendments or motions to reconsider shall be considered; after which the amendment of the Senator from North Carolina be 30 minutes equally divided with no second-degree amendments or motions to reconsider, after which we will vote on the Helms amendment. Let me say, on or in relation to both the Bradley amendment, so that the tabling motions will be in order, that after the vote on the Bradley amendment, we proceed immediately without intervening business to a vote on the amendment of the Senator from North Carolina.

Mr. COCHRAN. Mr. President, reserving the right to object, and it is my hope that I will not be required to object, we are consulting with the Republican leader to get his reaction to the proposed unanimous consent agreement. I understand that he is temporarily unavailable. But I will be able to have an answer within a minute or 2, I hope.

Mr. BRADLEY. Will the distinguished ranking manager yield?

Mr. BUMPERS. While we are waiting, Mr. President, I ask unanimous consent that the Senator from New Jersey be allowed to proceed with his amendment for a period not to exceed 30 minutes to be equally divided.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. Reserving the right to object, Mr. President, I reserve the

right to object. I am hoping that the Senator will withhold proposing any unanimous consent agreement until the Republican leader can convey his reaction to that to this Senator. So for that purpose, I reserve the right to object.

The PRESIDING OFFICER. The Chair wishes to clarify that on the previous unanimous consent request, the reference was to barring motions to recommit, not motions to reconsider. Is that the intent of the Senator from Arkansas?

Mr. BUMPERS. I am sorry.

The PRESIDING OFFICER. The Chair wishes to clarify whether the unanimous consent request was to bar motions to recommit rather than motions to reconsider with regard to the unanimous consent agreement with regard to the—

Mr. BUMPERS. I am sorry. I meant motion to recommit. But the agreement has been objected to at this point. So it is irrelevant.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BRADLEY. Mr. President, I have an amendment, and I will send it to the desk. I would be amenable if the unanimous-consent request, I say to the ranking member, comes through. I would be prepared to count whatever time I use against the 30-minute time limit. Would that accommodate the distinguished Senator from Mississippi?

Mr. COCHRAN. Mr. President, if the Senator will yield, I stated my reasons for not being able to enter into a unanimous consent agreement previously. They still apply.

Mr. BRADLEY. Mr. President, I am looking for just a little guidance from the chairman of the subcommittee. I hope the chairman will give me his attention so he can give me some guidance. There has been a proposal for a 30-minute time agreement. We are waiting to see if that proposal is acceptable to the minority leader. I am saying I am prepared to go ahead now, instead of us standing here looking at each other, to actually discuss the amendment and have whatever time in that discussion be counted against my 15 minutes.

I also have agreed to have a Republican amendment or a Democrat amendment. I do not know how much more I can do. The only alternative is to suggest the absence of a quorum, and all of us sit here and look at each other.

Does the ranking member or the chairman of the subcommittee have an opinion on this?

AMENDMENT NO. 2308

(Purpose: To reduce the appropriation for buildings and facilities for agricultural research programs)

Mr. BRADLEY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. BRADLEY] proposes an amendment numbered 2308.

Mr. BRADLEY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 12, line 23, strike "\$38,718,000" and insert "\$25,700,000".

Mr. BRADLEY. Mr. President, there is not a Member among us who has not decried the deficit and the need for spending cuts. Last year, I went to the floor numerous times to articulate, in the form of amendments to various appropriations bills, ways to reduce spending. I have consistently supported others in the attempts to shrink our deficit and instill fiscal discipline. And I will continue to do so.

I rise today to propose another amendment, which I believe will reduce Federal spending and support a process of budget discipline.

The Agricultural Research Service [ARS] is a Federal agency within the Department of Agriculture. The ARS has primary responsibility over basic, applied, and developmental research on the whole range of agricultural issues. Its facilities are scattered nationwide and its Federal appropriations total more than \$700 million annually.

The President's budget request for the construction of new Federal facilities for ARS is \$25.7 million. When the House considered appropriations for this account, they actually cut the account slightly and provided \$23.4 million. The Senate bill before us today provides almost \$39 million. My amendment simply cuts the Senate total back to the sum that was requested by the President in the budget.

I note that this amendment does not cut any particular project. This amendment only attempts to limit the overall construction level—to show restraint—to the level that the President and the USDA have identified as an appropriate target.

I would make three points in support of my amendment. First, we all have challenged the President to produce more cuts on spending. The ARS is a Federal agency with a national mission. Its purpose and priorities cannot be determined whimsically or politically. If the executive branch believes that this construction line is sufficient to meet the needs of the USDA and our farmers, then we should defer to this request, absent a clear rationale to the contrary. Given the action of the House, it is hard to claim any such rationale exists.

They cut the amount to \$23 million, came under the President's request, and the Senate bill before us is at \$39 million. So if we are going to cut spending, this a good place to cut

spending without harming the national mission and purpose of the Agricultural Research Service.

Second, the Senate language not only exceeds the requested amount, but it also almost completely disregards the needs identified in the budget submission. Only two of six items that are proposed for funding in the budget receive support in the Senate bill. This undercuts the process of establishing priorities and instilling needed budget discipline within the Federal bureaucracy. The message to ARS lab managers is simple: If you cannot get your project through the OMB, look to the politicians. Freelance. And this bill is full of that kind of freelancing.

Last, this amendment concerns more than \$13 million. If these projects are all built, they will be staffed. These new facilities, with their larger payrolls and new priorities, will undercut the USDA financially and programmatically.

Earlier today, the Senate considered an amendment by Senators LEAHY and LUGAR. As a matter of fact, it was the amendment immediately prior to this one, and their amendment was to eliminate ARS facilities recommended for closure by the administration. During that debate, the point was made repeatedly that we needed to defer to the USDA and their priorities and the need for a streamlined agency. I believe, obviously, that analogous arguments can be made for this amendment.

The Leahy-Lugar amendment called for the closure of nine ARS facilities. These facilities, they argued, cost USDA about \$50 million annually in operating costs. This underscores how these facilities, once built, keep costing the taxpayers. The Leahy amendment would cut nine facilities that the USDA does not want. The Senate language considered today—that would be cut by my amendment—spends millions to build or improve 11 research centers that the USDA also does not want. I do not think that you can argue on the one hand that it makes sense to cut 9 they do not want, but to keep in the 11 they do not want.

I further note that there is one key difference between my amendment and the one offered by Senators LEAHY and LUGAR. Their amendment did not cut any particular account. Mine does. It cuts the construction account.

So, in closing, Mr. President, I urge my colleagues to follow up the rhetoric about fiscal discipline and cutting spending, and vote for the amendment that I have proposed. It is a very simple amendment, and it would reduce the spending level of the President's request from about \$39 million for construction of new Agricultural Research Service facilities to \$25-million-plus for that account.

I hope that we can get an agreement and have a vote on this in the near term.

Mr. COCHRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the amendment offered by the Senator from New Jersey [Mr. BRADLEY] be temporarily laid aside to permit the offering of an amendment by the Senator from North Carolina.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

AMENDMENT NO. 2309

(Purpose: To stop the waste of taxpayer funds on activities by the Department of Agriculture to encourage its employees or officials to accept homosexuality as a legitimate or normal lifestyle)

Mr. HELMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mr. HELMS] proposes an amendment numbered 2309.

The amendment is as follows:

At the appropriate place, insert the following new section:

SEC. . ENDING THE USE OF TAXPAYER FUNDS TO ENCOURAGE EMPLOYEES TO ACCEPT HOMOSEXUALITY AS A LEGITIMATE OR NORMAL LIFESTYLE.

None of the funds made available under this Act may be used to fund, promote, or carry out any seminar or program for employees of the United States Department of Agriculture, or to fund any position in the Department of Agriculture, the purpose of which is to compel, instruct, encourage, urge or persuade departmental employees or officials to:

(1) recruit, on the basis of sexual orientation, homosexuals for employment with the Department; or

(2) embrace, accept, condone, or celebrate homosexuality as a legitimate or normal lifestyle.

Mr. HELMS. Mr. President, the pending bill provides operating funds for the Department of Agriculture and its related agencies totaling \$67.98 billion of the taxpayers' money. I am persuaded that only a relatively few Americans approve of any of this enormous sum being used to conduct seminars or to hire staff or for the purpose of making available Federal facilities and resources to persuade—indeed, to intimidate—Federal employees to accept homosexuality as a legitimate and normal lifestyle.

So the purpose, Mr. President, of the pending amendment is to determine how Senators feel about it and to give them an opportunity to go on record one way or the other.

The pending amendment is not complicated. For Senators who were not in the Chamber when the text of the amendment was read by the clerk, I shall read it again:

None of the funds made available under this Act may be used to fund, promote, or carry out any seminar or program for employees of the United States Department of Agriculture, or to fund any position in the Department of Agriculture, the purpose of which is to compel, instruct, encourage, urge or persuade Departmental employees or officials to:

(1) recruit, on the basis of sexual orientation, homosexuals for employment with the Department; or,

(2) embrace, accept, condone, or celebrate homosexuality as a legitimate or normal lifestyle.

Mr. President, I wish this amendment were not necessary. But it is. You see, the Clinton administration has launched a concerted effort to extend special rights to homosexuals in the Federal workplace—rights not accorded to other groups and individuals.

The Department of Agriculture is obviously at the forefront of this effort. An April 27, 1994, article in the Wall Street Journal was headed "A Different Kind of Whistleblower." It described a meeting of the USDA's Equal Employment Opportunity manager on February 25, at which time the head of the organized "USDA Homosexual Employees" distributed an outline which included the following statement. I hope Senators are looking in by television at these proceedings, because I think they ought to consider what the head of the organized USDA Homosexual Employees Association said should be the policy of the USDA:

Until our relationships are recognized and respected and benefits are made available to our partners and families, we are not full members of team USDA.

The Wall Street Journal reported that in response:

Top [USDA] executives pledged to hold "sensitivity training" to spread this message among the ranks and to punish those who don't toe the line.

Mr. President, I ask unanimous consent that the Wall Street Journal article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HELMS. Now, Mr. President, a question: How many American taxpayers are willing for their tax money to be devoted to financing sensitivity training for Federal bureaucrats to recognize and respect homosexual relationships?

Mr. President, there is more. According to the Federal EEO Update, which is a newsletter published by FPMI Communications, Inc., a "Gay, Lesbian, and Bisexual Program Manager" position has been created within the Department of Agriculture for the Foreign Agriculture Service. A bureaucrat

active in the homosexual movement is on the job now and is being paid \$1,000 a week, using the taxpayers' money, of course. His responsibilities include the following—and the cameraman may want to follow the chart here.

Here is what the responsibilities of this \$52,000-a-year bureaucrat and activist in the homosexual movement, who has been hired by the USDA, here is what his agenda is. "Promoting"—get that word,

Promoting the gay, lesbian, and bisexual Employment Program and developing and disseminating information on employment matters;

Analyzing work force data and informing managers of the status of gay, lesbian, and bisexual employment;

Informing homosexual employees of training and promotional opportunities; and

Assisting in the recruitment of gays, lesbians, and bisexuals and keeping abreast of personnel-related matters affecting them.

Mr. President, I ask unanimous consent that a copy of the Federal EEO Update newsletter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. HELMS. I thank the Chair.

Now, then, Mr. President, as of the close of business yesterday, Monday, July 18, the total Federal debt stood at \$4,624,283,138,985.72. Now with this Draconian debt, which, by the way, averages out to be \$17,737.20 for every man, woman, and child in America, the question is this: Should the U.S. Senate sit idly by and allow the spending of the American taxpayers' money on a gay, lesbian, and bisexual program manager paid \$52,000 a year?

That is the expense for his salary. Think of all of his staff, all of his travel, all of his telephones and all the rest of his expenses, and you have an enormous waste—and I use the word advisedly—waste of the taxpayers' money.

Mr. President, I believe that not many Senators have even heard of, let alone seen, a memorandum dated March 25 of this year from a man named Wardell C. Townsend, Jr. Mr. Townsend is Assistant Secretary for Administration at the USDA. This memorandum grants official status to the GLOBE organization. Now GLOBE stands for, guess what? Gay, Lesbian, and Bisexual Employee organization.

The purpose of this GLOBE organization, according to the memorandum, is to: Promote understanding of issues affecting gay, lesbian, and bisexual employees in the USDA;

Serve as a resource group to the Secretary of Agriculture on issues of concern to gays, lesbians, and bisexual employees, and

Work for the creation of a diverse work force that assures respect and civil rights for gay, lesbian, and bisexual employees.

Now, this is in the memorandum.

I ask unanimous consent that a copy of the Townsend memorandum be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. HELMS. Mr. President, formal recognition of this homosexual group allows its members to use USDA office space for their meetings, to use inter-office and electronic mail, and to have input in policy discussions.

Insofar as I have been able to determine, Mr. President, the USDA is the first Federal agency to recognize a GLOBE chapter as an officially chartered employee organization. And the Department of Agriculture boasts about it. According to an article in the Washington Times on July 4 of this year—just a few weeks ago—an official USDA memorandum, dated June 22, reads as follows:

To All Employees, Cotton Division: I would like to inform you of the creation of the USDA Gay, Lesbian, and Bisexual Employees (GLOBE) organization * * * I am confident that all Cotton Division employees will remain committed to a workplace that exemplifies Secretary Espy's * * * EEO and Civil Rights statements.

Let me say, Mr. President, that I do not know what Secretary Espy has to say about all of this. I wrote to him some time back. I do not have a copy of my letter here today. It was a friendly letter, suggesting that he take a look at what was being done in his name. Now, he may be doing it himself.

But, do you know something? I have not even had the courtesy of a response from Secretary Espy. And I am a former chairman of the Senate Agriculture Committee, and I have been on the committee nearly as long as anybody else. I think BOB DOLE outranks me in tenure, but nobody else does.

But the Secretary of Agriculture is just too busy when somebody asks him a question about what he is doing about a bunch of perverts at the U.S. Department of Agriculture.

Somewhat earlier, Mr. President, I mentioned a news article reporting that "Top [USDA] executives pledged to hold 'sensitivity training' * * * and punish those who don't toe the line."

Now what have we gotten to in this country, in this Government?

Anyone doubting that the USDA intends to punish those who fail to "toe the line" with respect to the Department's embrace of the homosexual agenda should talk with, as I have, Dr. Karl Mertz, who, until March 28 of this year, was an Equal Employment Opportunity manager for the 10-State Southeastern Region of the Agricultural Research Services headquartered in Athens, GA.

While on annual leave earlier in March, Dr. Mertz was asked by a television station, WLOX-TV in Biloxi, MS, about a proposal being floated

within the Agriculture Department to provide same-sex partners of homosexual employees within the USDA with the same taxpayer-paid benefits provided the spouses of legally married heterosexual employees.

After making it very clear that he was expressing his personal views as a Christian—and not those of the Department's—Dr. Mertz made this comment:

We need to be moving toward Camelot, not Sodom and Gomorrah, and I'm afraid that's where our leadership is trying to take us.

He was asked the question by a reporter for the Biloxi, MS, television station, and he answered it honestly. He was on leave at the time he appeared on television. He did not volunteer to go to the television station; rather he was interviewed by a television reporter.

What do you think happened?

Later that evening, after flying back to Atlanta, Dr. Mertz received a call at home from a USDA bureaucrat in Washington, DC, who told him that the Department had already been informed—by homosexual activists—about Dr. Mertz' comments. Dr. Mertz heard nothing further until March 28, when he was summoned by Mary Carter, Director of the Southeastern Region of the Agricultural Research Service.

Without asking for Dr. Mertz' side of the story, Mary Carter handed him a memorandum informing him of his transfer from his job—a job which the Department admits he had performed commendably for 7 years.

Any Senator with questions about Dr. Mertz' exemplary performance should review the USDA performance appraisals signed by the very supervisor who put him on rollers, Korona Prince, a copy of which I ask unanimous consent to be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. HELMS. Mr. President, it was this same Korona Prince who signed the memorandum informing Dr. Mertz of his reassignment to another position. While the memo claimed Dr. Mertz had a right as a private citizen to express his opinions, the Department's actions proved otherwise. Here is what she wrote:

You have made it difficult for employees and managers of the agency to accept that you actively support these same policies in your official assignment.

However, and this ought to be drilled into the consciousness of every U.S. Senator, the acceptance and promotion of the homosexual's agenda is not written in law, nor has the USDA policy favoring homosexuals been approved by the Senate.

I understand, and I hope it is correct, that Dr. Mertz has not yet had a salary cut. But, he was stripped of his title,

stripped of his staff, and given a job outside the area of expertise he has developed throughout his professional career. And the USDA, time and time again, had commended him for his great work. And his big sin, his cardinal sin, was to answer a question honestly and say something to the effect that instead of heading for Sodom and Gomorrah, we ought to reach for Camelot.

I ask unanimous consent that a memorandum from Korona Prince to Karl Mertz dated March 25, 1994, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 5.)

Mr. HELMS. Mr. President, it is increasingly apparent that the Department of Agriculture has unilaterally adopted a policy to treat homosexuals as a class protected under title VII of the Civil Rights Act of 1964—which of course, they are not. In his EEO and Civil Rights Policy statement dated April 15, 1993, Secretary Mike Espy wrote:

Our actions will be directed towards positive accomplishments in the Department's efforts to attain a diverse workforce, ensure equal opportunity, respect civil rights, and create a work environment free of discrimination and harassment based on gender or sexual orientation.

It's ironic that Secretary Espy also stated in his Civil Rights Policy statement that "there is no room for management by discrimination, reprisal, or fear in the new USDA and such activities will not be tolerated." Obviously, as Dr. Mertz' case proves, this policy is a one-way street and does not apply to those who dare to question USDA's newly created protected class, namely the homosexuals and the lesbians. Whatever, one wonders, happened to the first amendment down at the U.S. Department of Agriculture?

Mr. President, the question before the Senate in all of this is: Is not the primary mandate of the Department of Agriculture—as outlined in the U.S. Government Manual—to improve and maintain farm income, to develop and expand markets abroad for agricultural products, and help curb and cure poverty, hunger, and malnutrition? Are these not the purposes for which the \$67.98 billion in this appropriations bill should go—and not for promoting the homosexual agenda, not for holding sensitivity training sessions for bureaucrats, not for funding homosexual program managers, and not for establishing official homosexual employee organizations.

I shall insist on a rollcall vote because every American is entitled to know where his or her Senators stand at the crossroad of twisted values. Either Senators will waste the taxpayers' money and bow down to the wishes of the homosexual lobby or Senators will

stand up and be counted for decency and morality in the Federal Government by telling the Secretary of Agriculture to back up, and take a look at what he has already done.

EXHIBIT 1

[From the Wall Street Journal, Apr. 27, 1994]

A DIFFERENT KIND OF WHISTLE-BLOWER

(By Max Boot)

Karl Mertz is a whistle-blower. But unlike most members of that species, he's not exposing sexual harassment on the job or military contractors who overbill the government. He's blowing the whistle on a less publicized kind of fraud: the promise that affirmative action policies will result in a more "just" society.

Mr. Mertz has seen how such policies operate from the inside. Since 1987, he's been a senior Equal Employment Opportunity manager at the Agriculture Department in Atlanta, a commissar in the battle against racism, sexism and other "isms." Before that, he performed similar jobs for the Labor Department and the Army. It's a calling for which he has impeccable credentials: After getting a Vanderbilt doctorate, he went to work as a Methodist pastor in Mississippi and promptly got in trouble with the locals for preaching racial tolerance.

Like most Americans, Mr. Mertz is dedicated to "equal opportunity" for all, no matter what race, creed or sex. But he quickly found that those rules don't apply to white males like himself. When he's applied for numerous EEO jobs at other federal agencies since 1984, he's been turned down cold. At the Internal Revenue Service, he got top scores on his exam but didn't even land a job interview; all eight finalists were black females. Mr. Mertz tried pursuing a job-discrimination claim against the government, but when that proved fruitless he decided to express his frustration on CNN.

On the program, aired Feb. 20, Mr. Mertz declared: "People in the '60s set up a big policy machine and said we're going to try and open up doors for people who have been wrongly excluded from society, and then they put the machine in gear, and kind of turned their backs on it. Now it's rumbling across the landscape doing pretty much what it wants."

Mr. Mertz tells some hair-raising stories about what the machine is doing. Agriculture Department managers hire "two-fers" (say, a black female) or "three-fers" (say, a disabled Hispanic female) in order to get a bonus for meeting affirmative action quotas. Postdoctoral fellowships are funded for one year if the recipient is a white male, two years if he (or, more likely, she) is a minority. And—get this—a new training program at the department, designed to build self-esteem, is open only to senior African-American male managers. "These people are already in senior positions!" Mr. Mertz exclaims. "Why spend taxpayers' money to boost their self-esteem?"

Mr. Mertz has had to live with such programs for a while. What he wasn't prepared for was Agriculture Secretary Mike Espy's gay-rights agenda, part of the Clintonites' kowtowing to a key group.

At a Washington meeting of the department's affirmative-action administrators on Feb. 25, Mr. Mertz listened to a report by the head of the department's gay employees group. An outline distributed by the gay activist during her presentation states: "Until our relationships are recognized and respected and benefits are available to our partners and families, we are not full members of Team USDA." Top executives pledged

to hold "sensitivity training" to spread this message among the ranks, and to punish those who don't toe the line.

In other words, homosexual employees aren't just asking to be left alone—Mr. Mertz is in favor of that. They want other employees to actively approve of their lifestyle. And Mr. Espy is backing the gay-rights agenda with taxpayer-funded indoctrination courses for the department's workers. "I was pushed as far as I could go," Mr. Mertz says.

A week later, on March 4, Mr. Mertz attended a departmental conference in Biloxi, Miss. Afterward, a local TV reporter asked him to comment on the gay-rights policy. After making clear that he was voicing his own views, not the department's, the Christian expressed his disapproval of homosexuality and said that the Agriculture Department should be headed "toward Camelot, not Sodom and Gomorrah."

When he got home to Atlanta later that night, Mr. Mertz received a phone call from a Washington-based Agriculture Department bureaucrat who said he had heard about the TV interview from gay activists. Then silence—until March 28, when Mr. Mertz was summoned into the office of Mary Carter, South Atlantic area director of the department's Agriculture Research Service.

Without waiting to hear his side of the story, Ms. Carter handed him a memorandum announcing that his TV interview "reflect[s] a disagreement with Departmental Civil Rights Policy, which could seriously undermine your ability to perform your responsibilities." Then without hint of due process, he was transferred, effective immediately, to a newly created job dealing with something called "work force forecasting."

Ms. Carter insists that the reassignment "isn't punishment," but try telling that to Mr. Mertz. "I've been stripped of a title, stripped of support staff, stripped of working in the field of my expertise," he complains.

The truly noxious part of this is that Mr. Mertz is being punished for exercising his First Amendment rights, not—as the memo claims—failing to do his job, in a telephone interview. Ms. Carter couldn't name a single instance when Mr. Mertz had failed to enforce department policy for homosexuals or anyone else. In fact, Mr. Mertz's evaluation forms gave him high marks in every category, including "support EEO and Civil Rights Programs."

Given what's happened, it's a bitter irony that Mr. Espy's statement on civil rights policy says: "I am especially concerned about allegations of a 'culture of reprisal' at USDA." The secretary was writing about reprisals for filing affirmative action complaints, but that concern is equally pertinent here.

Mr. Mertz is appealing for help from those who traditionally champion the cause of whistle-blowers, ranging from the federal Office of Special Counsel to "60 Minutes" to various government-watchdog groups. It will be interesting—and highly telling—to see what support he gets.

EXHIBIT 2

[From the Federal EEO Update, June 1994]
USDA GLOBE OFFICIALLY CHARTERED

The USDA has taken strides to ensure the equal treatment of all groups. First by recognizing GLOBE (Gay, Lesbian, or Bisexual Employees), then by amending EEO complaint process, and issuing an EEO policy statement.

USDA GLOBE, on March 25, 1994, became the first chapter of GLOBE to become an of-

ficially chartered employee organization. With this approval, USDA GLOBE can exercise all of the rights and responsibilities of other officially sanctioned employee organizations.

The Formal EEO Complaint System now covers "individual complaints of discrimination based on race, color, religion, sex, national origin, age, if over 40, physical, or mental disability, marital status, sexual orientation, and reprisal for EEO related activity."

The EEO and Civil Rights Policy Statement issued by USDA Secretary Mike Espy includes in the statement that the Department will act to "create a work environment free of discrimination and harassment based on gender or sexual orientation."

To complement these formal assertions of equal treatment for all, the USDA's Foreign Agricultural Service created a new Special Emphasis Program Manager position—Gay, Lesbian, and Bisexual Program Manager, held by Jim Patterson.

Some of the responsibilities include:
Promoting the Gay, Lesbian, and Bisexual (hereafter GLB) Employment Program and developing and disseminating information on employment matters

Analyzing workforce data and informing managers of the status of GLB's employment
Informing employees of training and promotional opportunities

Assisting in the recruitment of GLBs and keeping abreast of personnel related matters affecting them

EXHIBIT 3

DEPARTMENT OF AGRICULTURE,
Washington, DC, March 25, 1994.

Subject: Establishment of USDA GLOBE
To: Pat Browne, Spokesperson, USDA GLOBE

In keeping with the Secretary's April 15, 1993, EEO and Civil Rights Policy Statement, I am pleased to officially sanction the creation of USDA GLOBE by approving the attached bylaws. With this approval, USDA GLOBE will exercise all of the rights and responsibilities of other officially sanctioned organizations.

WARDELL C. TOWNSEND, JR.
Assistant Secretary for Administration.
Attachment.

U.S. DEPARTMENT OF AGRICULTURE GAY, LESBIAN, AND BISEXUAL EMPLOYEE ORGANIZATION (USDA GLOBE)

BYLAWS

Mission Statement.

The mission of the U.S. Department of Agriculture Gay, Lesbian, and Bisexual Employee Organization is to create a work environment free of discrimination and harassment based on sexual orientation.

I. (name of the organization)

II. Purpose.

The purpose of USDA GLOBE is to:

A. Promote understanding of issues affecting gay, lesbian and bisexual employees in USDA.

B. Support the USDA policy of non-discrimination based on sexual orientation.

C. Provide outreach to the gay, lesbian and bisexual employees in the Department.

D. Serve as a resource group to the Secretary on issues of concern to gay, lesbian and bisexual employees.

E. Work for the creation of [a] diverse work force that assures respect and civil rights for gay, lesbian and bisexual employees.

F. Create a forum for the concerns of the gay, lesbian and bisexual community in the Department.

(Followed by sections on meetings, dues, government, officers & election process, duties of the officers, filling vacant positions, voting, forming committees, forming chapters in field locations, and amendments. The bylaws are also signed by Wardell C. Townsend, Jr.)

EXHIBIT 4

SUPERVISORY APPRAISAL OF DEMONSTRATED PERFORMANCE OR POTENTIAL

Position: Equal Employment Manager, GM-260-14.

Name of applicant: Dr. Karl Mertz.

SECTION I—DEMONSTRATED PERFORMANCE OR POTENTIAL RATING

1. Managerial and technical EEO knowledge (and skills sufficient to plan, organize, direct, staff and evaluate an equal employment opportunity program): Exceptional.

2. Ability to communicate in writing: Exceptional.

3. Ability to communicate orally: Exceptional.

4. Skill in fact finding, analysis and problem resolution: Exceptional.

5. Knowledge of statistical and reporting techniques (in order to develop profiles, prepares reports, analyze needs, determine effectiveness): Above averages.

SECTION II—NARRATIVE STATEMENT

1. Graduate school and extensive government training in EEO/AA and management have been evident in the regulatorily correct and innovative programs designed and administered by the incumbent.

2. Written work is timely, exacting and thorough, probably due to training as a college newspaper editor, and previous government experience writing EEO audit reports and proposed disposition of complaints.

3. A forceful and thought provoking speaker, with related "A" work in college and grad school, who has won several professional association elections, and made numerous regional and national speeches.

4. A.E.P.P.s and Accomplishment Reports/Updates have been thorough and well received by E.E.O.C. and internal reports have been accurate, thorough and well reasoned.

5. Incumbent has gone beyond report requirements, producing same on potential adverse impact, participation rates in awards, etc., and representation levels in special programs.

Appraiser's signature: K. Prince.

Employees signatures: Karl Mertz.

PERFORMANCE APPRAISAL OF K.C. MERTZ

INSTRUCTIONS

Blocks 1 through 10, completed by NFC, should be reviewed and, if necessary, corrected.

Block 11. Enter funding unit number.

Block 14. Enter brief description of performance elements.

Block 15A. Check performance elements identified as critical.

Blocks 15B, 15C, 15D. Rate actual performance by entering 2 for critical elements and 1 for non-critical elements in appropriate column.

Blocks 15E, 15F, 15G. Enter total of each column.

Block 15H. Enter total from 15E, 15F and 15G.

Block 16A. Check off the correct summary rating described in decision table (16B)

Blocks 17 through 22. Self-explanatory.

14—Performance elements

15A—Critical element

15B—Exceeds fully successful

15C—Meets fully successful

15D—Does not meet fully successful

1. Affirmative Employment Program Management	X	2		
2. Special Emphasis Program Management		1		
3. Research Apprenticeship & Summer Intern Prog. Mgmt.			1	
4. Technical Advice & Assistance	X	2		
5. Reporting Requirements/Special Projects		1		
6. Supervision & Human Resource Management		1		
7. Supports EEO & Civil Rights Programs	X	2		
Total		9	1	

Summary Rating: Superior.

Supervisor's Signature: Korona I. Prince.

EXHIBIT 5

OFFICE OF THE ADMINISTRATOR,
U.S. DEPARTMENT OF AGRICULTURE,
Washington, DC, March 25, 1994.

Subject: Reassignment from the EEO Staff.
To: Karl C. Mertz, EEO Manager, South Atlantic Area.

From: Korona I. Prince, Director, EEO Staff.

As you are no doubt aware, some of your recent activities have caused quite a bit of concern at the Department of Agriculture. Your statements in the interview that occurred on March 4 reflect a disagreement with Departmental Civil Rights Policy, which could seriously undermine your ability to perform your responsibilities for the agency in your current assignment. As a private citizen you have every right to express your opinions freely, and we have no intention of doing anything to compromise your rights or the rights of any other employee. However, you must recognize the fact that in publicly disagreeing with an admittedly controversial position of the Departmental leadership, you have made it difficult for employees and managers of the agency to accept that you actively support these same policies in your official assignment. *It is, therefore, necessary that you be reassigned to another position.*

One of the areas identified by the ARS Human Resources Management Task Group for action was the development of a work force forecasting system. This is critical for the strategic management of human resources, which, in turn, is critical to our continued success. Dr. Mary Carter has long been an active proponent of this initiative. Consequently, the agency has identified a position to be located on the staff of the Director of the South Atlantic Area to develop and implement an Agency wide work force forecasting system. You are assigned to this position effective March 28, 1994. There will be no impact on your grade or pay. This also provides an opportunity for you to use your expertise to provide an important service for the Agency's long term success.

Dr. Carter and Dr. James Hilton, who will be your immediate supervisor will work with you in developing the details of your new assignment.

Mr. HELMS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. I thank the Chair and yield the floor.

Mr. BUMPERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. MURRAY). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HELMS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2309, AS MODIFIED

Mr. HELMS. Madam President, the distinguished manager of the bill, Mr. BUMPERS, has suggested that there may be some ambiguity in the mind of some Senator reading this amendment who may arrive at the mistaken understanding that this amendment outlaws funds for any seminar on any program.

I must say, I believe the amendment, as written, fairly states the proposition it does not preclude the use of funds to promote or carry out various seminars or programs, rather, only those relating to homosexuals. But just to remove any ambiguity that might be in some Senator's mind before voting, I have a modification which Senator BUMPERS and I have agreed upon.

I ask unanimous consent that the amendment be modified, and I send the modification to the desk.

The PRESIDING OFFICER. The Senator has a right to modify his amendment. Without objection, it is so ordered. The amendment is so modified.

The amendment, with its modification, is as follows:

At the appropriate place, insert the following new section:

SEC. . ENDING THE USE OF TAXPAYER FUNDS TO ENCOURAGE EMPLOYEES TO ACCEPT HOMOSEXUALITY AS A LEGITIMATE OR NORMAL LIFESTYLE.

None of the funds made available under this Act may be used to fund, promote, or carry out any seminar or program for employees of the United States Department of Agriculture, or to fund any position in the Department of Agriculture, the purpose, either of which is to compel, instruct, encourage, urge or persuade departmental employees or officials to—

(1) recruit, on the basis of sexual orientation, homosexuals for employment with the Department; or

(2) embrace, accept, condone, or celebrate homosexuality as a legitimate or normal lifestyle.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Madam President, I just want to make an additional comment to clarify the purpose of the modification. I want to thank the Senator very much for accommodating my concern on this.

The amendment read as follows:

None of the funds made available under this act may be used to fund, promote, or carry out any seminar or program for employees of the United States Department of Agriculture . . .

If you just read that, it would look as though the Senator was trying to stop

any seminar for any purpose, whether the purpose is improving people's job skills or anything else. Obviously that was not his intention.

The next word is:

. . . or to fund any position in the Department of Agriculture, the purpose of which is to compel, instruct, encourage, urge or persuade departmental employees or officials to:

(1) recruit, on the basis of sexual orientation, homosexuals for employment with the department;

And the Senator told me his sole purpose with this amendment was to say none of the funds herein may be used to hold seminars or programs, the purpose of which is to compel, instruct or urge departmental employees to recruit people on the basis of sexual orientation.

With that, I think that makes the purpose of his amendment crystal clear. I am prepared to vote on it.

Mr. HELMS. Will the Senator yield?

Mr. BUMPERS. Yes.

Mr. HELMS. Madam President, if I may, let me ask the clerk if the modification reads as follows:

None of the funds made available under this act may be used to fund, promote, or carry out any seminar or program for employees of the United States Department of Agriculture, or to fund any position in the Department of Agriculture, the purpose, either of which is to compel * * *

And so forth. Is that the way the modification reads?

The PRESIDING OFFICER. The Senator is correct.

Mr. HELMS. I thank the Chair. I thank the Senator from Arkansas.

Mr. BUMPERS. Now, Madam President, unless there are Senators who wish to speak on either the Bradley amendment or the Helms amendment, I see no reason why we cannot have back-to-back votes on those two. And before I ask unanimous consent, let me suggest that the second vote be for 10 minutes. Does the Senator have any objection to that?

Mr. HELMS. None.

Mr. BUMPERS. Madam President, I ask unanimous consent that pursuant to a motion to table, by myself and the Senator from Mississippi, the Bradley amendment, that upon the completion of that vote, we proceed immediately to a vote without any intervening business on the amendment of the Senator from North Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. Madam President, I move to table the Bradley amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 210 Leg.]

YEAS—50

Akaka	Dorgan	Kempthorne
Baucus	Durenberger	Kerrey
Biden	Faircloth	Lott
Bond	Ford	Mack
Boxer	Graham	McConnell
Breaux	Gramm	Mikulski
Bumpers	Grassley	Murkowski
Burns	Harkin	Murray
Byrd	Hatch	Pressler
Cochran	Hatfield	Pryor
Conrad	Heflin	Rockefeller
Craig	Helms	Sarbanes
D'Amato	Hollings	Shelby
Daschle	Hutchison	Simpson
DeConcini	Inouye	Stevens
Dole	Johnston	Thurmond
Domenici	Kassebaum	

NAYS—50

Bennett	Gorton	Nickles
Bingaman	Gregg	Nunn
Boren	Jeffords	Packwood
Bradley	Kennedy	Pell
Brown	Kerry	Reid
Bryan	Kohl	Riegle
Campbell	Lautenberg	Robb
Chafee	Leahy	Roth
Coats	Levin	Sasser
Cohen	Lieberman	Simon
Coverdell	Lugar	Smith
Danforth	Mathews	Specter
Dodd	McCain	Wallop
Exon	Metzenbaum	Warner
Feingold	Mitchell	Wellstone
Feinstein	Moseley-Braun	Wofford
Glenn	Moynihan	

So the motion to table the amendment (No. 2308) was rejected.

VOTE ON AMENDMENT NO. 2308

Mr. BUMPERS. Madam President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BUMPERS. Madam President, I ask unanimous consent that the roll-call vote on this amendment be 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from New Jersey.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 54, as follows:

[Rollcall Vote No. 211 Leg.]

YEAS—46

Bingaman	Coats	Feingold
Bradley	Cohen	Glenn
Brown	Danforth	Gregg
Bryan	Dodd	Helms
Chafee	Exon	Jeffords

Kennedy	Metzenbaum	Roth
Kerrey	Mitchell	Sasser
Kerry	Moseley-Braun	Simon
Kohl	Murkowski	Smith
Lautenberg	Nickles	Specter
Leahy	Nunn	Wallop
Levin	Packwood	Warner
Lieberman	Pell	Wellstone
Lugar	Reid	Wofford
Mathews	Riegle	
McCain	Robb	

NAYS—54

Akaka	DeConcini	Inouye
Baucus	Dole	Johnston
Bennett	Domenici	Kassebaum
Biden	Dorgan	Kempthorne
Bond	Durenberger	Lott
Boren	Faircloth	Mack
Boxer	Feinstein	McConnell
Breaux	Ford	Mikulski
Bumpers	Gorton	Moynihan
Burns	Graham	Murray
Byrd	Gramm	Pressler
Campbell	Grassley	Pryor
Cochran	Harkin	Rockefeller
Conrad	Hatch	Sarbanes
Coverdell	Hatfield	Shelby
Craig	Heflin	Simpson
D'Amato	Hollings	Stevens
Daschle	Hutchison	Thurmond

So the amendment (S. 2308) was rejected.

Mr. BUMPERS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2309, AS MODIFIED

The PRESIDING OFFICER. The question now occurs on agreeing to the Helms amendment, as modified. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER (Mr. BRYAN). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 92, nays 8, as follows:

[Rollcall Vote No. 212 Leg.]

YEAS—92

Akaka	Exon	Mack
Baucus	Faircloth	Mathews
Bennett	Feinstein	McCain
Bingaman	Ford	McConnell
Bond	Glenn	Metzenbaum
Boren	Gorton	Mitchell
Bradley	Graham	Moseley-Braun
Breaux	Gramm	Murkowski
Brown	Grassley	Nickles
Bryan	Gregg	Nunn
Bumpers	Harkin	Pressler
Burns	Hatch	Pryor
Byrd	Hatfield	Reid
Campbell	Heflin	Riegle
Chafee	Helms	Robb
Coats	Hollings	Rockefeller
Cochran	Hutchison	Roth
Cohen	Inouye	Sarbanes
Conrad	Jeffords	Sasser
Coverdell	Johnston	Shelby
Craig	Kassebaum	Simon
D'Amato	Kempthorne	Simpson
Danforth	Kerrey	Smith
Daschle	Kerry	Specter
DeConcini	Kohl	Stevens
Dodd	Lautenberg	Thurmond
Dole	Leahy	Wallop
Domenici	Levin	Warner
Dorgan	Lieberman	Wofford
Durenberger	Lott	
	Lugar	

NAYS—8

Boxer	Moynihan	Pell
Feingold	Murray	Wellstone
Kennedy	Packwood	

So the amendment (No. 2309), as modified, was agreed to.

TEFAP FUNDING FOR AGRICULTURE APPROPRIATIONS

Mr. LEAHY. Mr. President, I will not be offering an amendment today regarding the subcommittee's decision to cut TEFAP food purchases to zero, but I am very concerned with this decision.

As a subcommittee chairman myself, I am quite mindful of the tight fiscal constraints placed upon the Subcommittee on Agriculture Appropriations. However, to cut funding for TEFAP at a time when record numbers of Americans are applying for food stamps and when our Nation's food banks are being forced to turn away the hungry because they cannot meet the demand, is unfair.

TEFAP is the first and last line of defense against the growing problem of hunger in America.

Children account for 45 percent of food pantry clients. More than 27 million Americans relied on emergency food assistance last year. Without food purchases for this program, I am afraid many food sites will cease to exist. Many food banks will close, especially those in the rural areas.

Food stamps alone cannot fight hunger nor will food stamps be able to fill the void created by the loss of these commodities. A recent study by Second Harvest, the Nation's largest network of food banks, reported that 82 percent of food stamp recipients run out of food before their next food stamp allotment. In short, TEFAP fills the hunger gap.

When natural disasters struck in Florida, California, and the Midwest, TEFAP played a major role in feeding the victims. Whether by flood, earthquake, or hurricane, when disaster victims were cold and scared, after they had lost their homes and businesses the emergency food provided by TEFAP kept the victims from going hungry. Readily available food stocks combined with the distribution network which TEFAP has in place has made the difference in people's lives.

Mr. President, I am aware of the tight budgetary decisions which all of us in this chamber must face, but cutting TEFAP at this time is unacceptable. I hope the Senate conferees will be mindful of the plight of millions of hungry Americans and agree to the House funding level of \$80 million.

Mr. MURKOWSKI. Mr. President, I rise today on behalf of the Food Bank of Alaska and 5,600 needy Alaskan families that depend upon The Emergency Food Assistance Program [TEFAP] as a reliable source of nutrition, to urge Chairman BUMPERS and the other conferees to support the House figures of

\$40 million for administrative costs and \$40 million for commodity purchases.

TEFAP, a Federal commodity food distribution program, was established in 1981 to both provide food to the rising number of people not receiving adequate nutrition from other sources and to reduce the large stocks of surplus accumulated through the USDA price support system. This successful Federal program efficiently distributes large amounts of staple food items to low-income people through the assistance of local food banks. Due to its success, Congress has continued to reauthorize TEFAP and support funds to purchase foods as the original surpluses declined. With this kind of purchasing power, the Government is able to buy staple goods in cost-savings bulk quantities that far surpass the ability of a family with an income 150 percent below the poverty level.

In Alaska, most TEFAP recipients are children, elderly, and members of the working poor. Participating families have an income below 150 percent of the Federal poverty level. TEFAP commodities supplement monthly family budgets without attaching the welfare stigma and help to relieve families from having to make the choice of whether to "heat or eat."

During the disaster relief efforts following the January 17 earthquake in Los Angeles, TEFAP distributed nearly 900,000 pounds of food quickly and efficiently within a few days. When natural disasters hinder access to food markets, cash, and food stamps are not useful, while the real food items provided by TEFAP are critical.

I encourage Chairman BUMPERS and the conferees to support the House figures of \$40 million for TEFAP administration and \$40 million for TEFAP commodity purchases. Local organizations have reached out in every way to provide hungry families with nutritious food sources at times when their budgets are tight. Without assistance from TEFAP in each of our States, hunger levels will rise and poor nutrition will cause schoolchildren to suffer during the important development years and health care costs to rise.

Mr. CRAIG. Mr. President, I rise in support of H.R. 4554, the fiscal year 1995 Agriculture Appropriations Act. I commend the committee for doing a thoughtful and responsible job in assessing individual programs and promoting productive national policies.

The committee product before us addresses important needs at both the regional and national levels. Given current budget constraints, this is a difficult task. The bill would appropriate \$3 billion less than the committee recommended in last year's bill, \$4 billion less than what was finally appropriated in all of fiscal year 1994, and almost \$450 million less than the President's budget. This legislation does a good job of doing more with less.

With the discretionary spending caps now in place, one portion of Federal spending—discretionary appropriations—is feeling the effects of an increase in discipline. That's good for the economy and will, I believe, force some necessary reevaluation of Federal programs. And no category of Federal spending has taken a greater hit in recent years than the agricultural sector. It's past time to make sure that the scrutiny and budget discipline applied to agriculture up to now be expanded to other areas, including, especially, entitlements.

Individual projects and regional programs often have a beneficial application or impact at the national level. We should remember that fact in assessing their worth and apply that as a threshold test in our funding decisions. I believe the bill before us reflects exactly that approach.

Every bill can be improved or damaged in conference. I look forward to continuing to work with my colleagues to find those few areas in which this bill could be made even better, to protect the sound policy decisions embodied in this bill from attack by the other body, and to economize on Federal spending wherever possible.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada [Mr. REID] is recognized.

Mr. REID. Mr. President, I send an amendment to the desk on behalf of Senators REID and BRYAN.

Mr. BROWN. Will the Senator yield? My understanding is my amendment was to be the next in order. I do not want to interfere with the Senator's plans.

Mr. REID. I have been here all day, off and on. I do not know whose understanding that was.

Mr. BUMPERS. Mr. President, I do not enjoy refereeing fights like this, but let me just say that the rule is—I regret if there was a misunderstanding—the rule is whoever is recognized first. I think Senator BROWN obviously has been here all day and so has Senator REID been here all day. I think that the Reid amendment is probably going to be accepted. So that will alleviate some pain on this side.

But let me say also before we even get into that, I think once we dispose of the Reid amendment and go to the Brown amendment, it is going to be a fairly long evening after that. What I would like to do is to let the Senator—could the Senator accept a time agreement at this point?

Mr. REID. I would be happy to.

Mr. BUMPERS. Fifteen minutes?

Mr. REID. I have about 15 minutes I would like to speak.

Mr. BUMPERS. You would like 15 minutes?

Mr. REID. Yes, although I have to be candid with my friend from Arkansas,

if the chairman of the subcommittee is willing to accept the amendment, I can reduce my remarks to 10 minutes.

I will say through the Chair to my friend from Arkansas, if the two managers are going to accept the amendment, I can reduce my time to 10 minutes.

Mr. BUMPERS. Why do we not just solve this by starting the debate and letting the distinguished Senator from Mississippi and I look at the amendment and see whether or not we can accept it. If we can, we will interrupt you at a proper time and tell you the answer is yes.

Mr. REID. I also say to my friend from Colorado, one reason that I worked very hard to get the floor is what we do on an informal basis here is go from side to side, and the last amendment had been offered by my friend from North Carolina.

Mr. BUMPERS. Mr. President, my personal preference is not to do that side-to-side thing. I know that has been done a lot around here. I prefer to use the rule of the Senate, whoever gets recognized first. I do my very best to make certain that the Republican side is not discriminated against; if they have two in a row, that is fine with me. I would rather not, at this point, go side to side.

AMENDMENT NO. 2310

(Purpose: To provide that none of the funds made available in this act may be used to provide any Federal benefit or assistance to any individual or entity in the United States unless the Federal entity or official to which the funds are made available takes reasonable actions to determine whether the individual is in a lawful immigration status in the United States)

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The Chair informs the senior Senator from Nevada that there is a pending amendment.

Mr. REID. I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID], for himself and Mr. BRYAN, proposes an amendment numbered 2310.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . (a) None of the funds made available in this Act may be used to provide any Federal benefit or assistance to any individual or entity in the United States unless the Federal entity or official to which the funds are made available takes reasonable actions to determine whether the individual is in a lawful immigration status in the United States.

(b) In no case may a Federal entity, official or their agent discriminate against any individual with respect to filing, inquiry, or adjudication of an application for funding made available in this Act on the basis of race, color, creed, handicap, religion, sex, sexual orientation, national origin, citizenship status or form of lawful immigration status.

(c) For purposes of this section, the term "Federal benefit or assistance" does not include search and rescue; emergency medical care; emergency mass care; emergency shelter; clearance of roads and construction of temporary bridges necessary to the performance of emergency tasks and essential community services; warning of further risks or hazards; dissemination of public information and assistance regarding health and safety measures; the provision on an emergency basis of food, water, medicine, and other essential needs including movement of supplies or persons; reduction of immediate threats to life, property and public health and safety; and programs funded under title IV of this Act.

Mr. REID. Mr. President, I have an amendment that requires the Federal authorities responsible for distributing the benefits under the act to take reasonable action to determine whether the recipient is in a lawful immigration status in the United States. It is a short, simple, and commonsense amendment, and it is one this body has supported in earlier appropriations measures.

All my amendment says is that the Federal authority responsible for distributing the funds made available under this act must take reasonable action to ensure the money goes to those individuals lawfully within the United States.

I add also, Mr. President, that this amendment, with respect to programs that are aimed at benefiting children or those programs providing emergency types of assistance, does not apply. So the amendment that is at the desk offered on behalf of the two Senators from Nevada, I repeat, does not prohibit children from receiving these benefits even though these children, for some reason, may not be lawfully within the country. The programs that provide emergency types of aid or assistance are also not prohibited under this act.

Some may ask why an amendment like this is needed as part of a bill dealing with agricultural appropriations. I ask that those who question the relevancy of this amendment look carefully at the existing Federal law with respect to receipt of benefits, and then look at some of the programs provided in this bill.

Some may argue that there are already laws on the books that dictate who is and who is not entitled to receive Federal benefits.

Mr. President, this simply is not the case. Yes, with respect to certain Federal entitlement programs, there exists laws governing eligibility, but these laws have been promulgated on a program-by-program basis. There are no

uniform Federal regulations governing who is eligible to receive what benefits under which federally funded program.

In addition to the statutory inconsistency over who is entitled to receive Federal benefits, many individuals unlawfully within the country may gain access to these benefits by fraudulently claiming U.S. citizenship or because the administering agency fails to verify the resident status of the applicants.

The Department of Housing and Urban Development, for example, was required by the Immigration Reform Control Act to verify that all applicants for housing assistance are legal residents. But HUD has failed to approve regulations to implement this mandate, so those not legally within the country have access to housing assistance.

Let me be clear about what my amendment does not do. It does not establish a uniform Federal policy. It in no way applies to legal immigrants or others who have played by the rules and who are in this country lawfully. And it does not apply to the distribution of funds or essential benefits provided in title IV. Title IV covers many of the federally funded programs that go toward providing benefits for children.

I, in this amendment, want to exclude federally funded programs that benefit infants and children. It is simply unfair and only penalizes the child for the parent's action.

Is there a problem with illegal immigrants availing themselves of some of the programs? I believe that is the case, but as far as I am concerned, that is evidence of our failure to enact and enforce meaningful immigration laws that would curtail the flow of illegal immigration and prevent the fraudulent procurement of taxpayer-supported Federal entitlements.

Finally, my amendment does not apply to the distribution of any funds used for the purpose of providing emergency medical assistance. I think the same reasoning that applies to the distribution of benefits to children's programs should apply here. It is an issue of humanity, and no one in the United States should ever be denied medical assistance in an emergency.

So again let me repeat, this amendment simply says that to the extent that Federal funds are being made available, the authorities responsible for distributing these funds must take reasonable action to ensure that such Federal funds do not go to individuals unlawfully within the United States.

Who would support this kind of amendment? Well, when it was offered during earthquake relief efforts, this amendment was supported by Housing and Urban Development, the Federal Emergency Management Association, and the Small Business Administration. The two Senators from California,

who have both done so much to reform our current immigration laws, also contributed significantly to the passage of the amendment. And in the end the amendment was accepted without even being put to a vote in this body.

I might also add, Mr. President, that this amendment has worked. It was successfully implemented, and those who legitimately applied for relief received their compensation in a timely manner. Federal funds so desperately needed by the victims of the California earthquake were not fraudulently misappropriated.

After it passed this body, we went to conference with the House, and we were able to work out basically the same language that is in this amendment, in the appropriations conference committee dealing with earthquake relief.

So why can we not do the same thing on this bill? Why can we not ask that Federal authorities do more to ensure that those people who play by the rules and are in this country lawfully be provided greater protection from fraud? In these times of tight budgetary restrictions, we ought to do more to ensure that the dollars we appropriate go to those who are legally entitled to receive them. So I respectfully suggest that the people we serve expect nothing less from us.

If we appropriate billions of dollars to Federal agencies, why can we not place a small burden on them requiring that they make sure the money goes to those who are lawfully within the country? There are those who are afraid to take any action to clarify and strengthen our existing immigration laws out of fear of being labeled anti-immigrant.

Mr. President, my father-in-law was born in Russia, my mother-in-law Lithuanian extraction, my grandmother English. I am very proud of my immigrant status. I believe this is a country of immigrants, and we should do everything we can to maintain our immigrant tradition. It is good for the country. But we must be more responsible in our policymaking.

They say we cannot do anything that could be characterized, even unfairly, as immigrant bashing. We should stay away from that. If there is a disagreement, you do not attack the individual. You attack the idea. This idea embodied in this amendment is that we ought to be more responsible about the way we distribute Federal funds.

The current laws are too open for abuse. There is not enough that is being done to protect the integrity of the system. This is evidenced by the proliferation of State lawsuits against the Federal Government seeking reimbursement for costs arising out of Federal inaction in the area of immigration reform. People may disagree about whether the Federal Government ought to reimburse the States for costs borne

by our failed policies, but no one disagrees that a problem exists and the Federal Government must step in to address it.

It is becoming clear that meaningful immigration reform will probably not take place this year in an overall sense. I spoke to the Senator from Wyoming this morning. He has been so involved in this, and served on the committee, and has legislation which goes by his name, and he still feels there is hope we can do something this year.

But even if we cannot, it does not mean that we have to ignore the issue entirely. To stand by idly and do nothing is a recipe for disaster. It only exacerbates and escalates what all agree is a realistic problem, and some say is a crisis.

According to the Immigration and Naturalization Service, millions of people are in the country unlawfully. The obvious relevance of this fact to the bill we are now considering is that millions and millions of people could attempt to avail themselves of these scarce dollars, and even, Mr. President, whether it is millions, hundreds of thousands, thousands, or hundreds, we should stop it.

What additional evidence is necessary before we take appropriate measures to address this problem? Is it going to require the bankrupting of States before we recognize this and do something to deal with it? I hope it does not.

This amendment is an opportunity for this body to say we recognize there is a problem and we are going to direct the Federal agencies we are charged with overseeing to take reasonable action to ensure that the money and benefits they distribute go to those who play by the rules. It is an opportunity for us to stand up and take the lead in this inherently Federal issue. Let us show the States that we recognize the problem and are willing to take measures to remedy the problem.

There may be some who argue that this is too great a burden to place on Federal agencies, that it is too costly and unworkable. These bureaucratic naysayers are missing the forest through the trees. There are laws on the books restricting eligibility of certain Federal funds. We are simply asking that they take reasonable steps to ensure that these laws are enforced. I believe that the people we represent understand this and would expect nothing less than our taking action to ensure that the laws we pass are upheld.

I believe that the amounts of money appropriated for some of these programs merit the requirements set out in this amendment. This bill appropriates \$2.6 billion—in fact, more than that—in housing units. While this money is to be used for purposes of benefiting rural housing, it is not asking too much to require that Federal authorities responsible for its distribu-

tion take reasonable action to assure the money goes to individuals who are of lawful immigration status in the United States.

I respectfully suggest that there is too much at stake to do anything less. This amendment provides a moderate, minimum verification requirement.

This bill also contains the Rural Housing Insurance Fund. This fund may be used to ensure or guarantee rural housing loans, loans for purchasing new or existing rural homes, loans for modernizing or improving rural dwellings, loans for rural rental and cooperative housing, rural housing site loans, and mobile home park loans. There are billions of dollars here that should be administered fairly and promptly. So should not the Federal Government take reasonable action to determine whether the recipient is of lawful immigration status in the United States? The answer is clearly yes, and that is all this amendment does.

This bill appropriates over \$100 million for emergency disaster loans. Why should we not ask Federal authorities charged with distributing these emergency disaster loans to take reasonable steps to ensure that the money goes to those people who are of lawful immigration status in the United States? This body overwhelmingly supported the same requirement during the earthquake relief efforts and it is only consistent we do the same here.

I would add that when I offered the amendment to the earthquake relief supplemental, people said, well, why are you only picking on California? This was not the case, of course. And I have always insisted that this type of amendment is germane and appropriate to any appropriations measure acted on by this body.

There is no need to recite the many other meritorious and valuable programs that will benefit people as a result of the appropriations bill we are going to pass. But I believe the point is that the money should go to those people who are lawfully within the country.

In this bill, there is a tremendous amount of money to be made available for millions of people and thousands of business entities, and as we are all aware these dollars are very hard to come by. I do not think there is a Member of this body who would argue that individuals who are in this country unlawfully ought to be entitled to receive any Federal benefits. Absent greater enforcement of the existing laws, absent some type of reasonable agency action to verify the legal immigration status of an applicant, it is likely that individuals who are in this country unlawfully will avail themselves of some of the Federal benefits made available under this bill. I ask my colleagues to join me in supporting this amendment that will prevent fraud and ensure that those who play by the rules are rewarded for doing so.

The PRESIDING OFFICER. Is there further debate on the amendment offered by the Senator from Nevada?

Mr. COCHRAN. Mr. President, it is my understanding that a Senator who is not in the Chamber wishes to speak on the amendment, and that he will be here momentarily. I know of no other Senators on this side of the aisle who desire to speak.

It is our understanding that the managers are prepared to recommend that the Senate accept this amendment. Pending the arrival and the confirmation of that in the Chamber by the distinguished Senator from Arkansas, if there is no one seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMPSON. Mr. President, I rise in support of the amendment.

One of the issues that has become so very important to the general public during economically difficult times is that of providing publicly funded benefits to persons who are unlawfully in the country.

This amendment will require persons or agencies distributing federally funded benefits to make a reasonable effort to determine the lawful status of persons applying for the assistance.

Although it is intended to deny illegal aliens federally funded benefits, it will not deny them food, medicine or shelter, if required on an emergency basis.

We passed a similar amendment to improve the integrity of the earthquake relief supplemental appropriations bill in January, and for the same reasons we passed that measure, we should accept this amendment.

The PRESIDING OFFICER. Are there further amendments?

Mr. BUMPERS. Mr. President, we have no objection to the amendment by the Senator from Nevada.

Mr. COCHRAN. Mr. President, we recommend the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not the question is on agreeing to the amendment of the Senator from Nevada.

The amendment (No. 2310) was agreed to.

Mr. BUMPERS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS. Mr. President, I send an amendment to the desk which has been cleared on both sides.

The PRESIDING OFFICER. The Chair would inform the Senator from Arkansas that there is a pending amendment.

Mr. BUMPERS. I ask unanimous consent that the pending amendment be set aside temporarily so I may offer an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2311

Mr. BUMPERS. Mr. President, I send an amendment to the desk, which has been cleared on both sides, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for himself and Mr. COCHRAN, proposes an amendment numbered 2311.

Mr. BUMPERS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 56, line 19, strike "\$198,000,000" and insert: "\$297,000,000".

On page 57, line 3, strike "\$40,000" and insert "\$60,000".

The PRESIDING OFFICER. Is there debate on the amendment? If not, the question is on agreeing to the amendment of the Senator from Arkansas.

The amendment (No. 2311) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS. Mr. President, I see Senator BROWN. I want very much for him to be recognized. It would be handy to go ahead I think and recognize the Senator from Colorado. I will ask the Senator from Colorado if he would yield to me for a discussion of how many amendments we have remaining.

Mr. FORD. Mr. President, reserving the right to object, the Senator's amendment has a great deal of my interest, I say to the floor manager. I would not want to lose my right to the parliamentary procedure here by yielding back to the Senator from Arkansas to get back to the Senator from Colorado, and that would be a unanimous-consent agreement. I do not want to agree to that right now. I say that to my friend, unless he wants a quorum call. I will be glad to visit on that.

Mr. BUMPERS. Mr. President, I would like to have now the attention of my distinguished colleague and ranking member while we talk just a moment about what we have left to do here.

I am talking now about the amendments that are likely to require rollcall votes. Mr. President, I am not sure

these amendments are in sufficient order to take up the time of the Senate to discuss them. But I will just mention a few of the amendments as I have them that are likely to require rollcall votes.

The first one is by Senator LAUTENBERG. If I could have the attention of the Senator from Kentucky, there is an amendment by Senator LAUTENBERG which would restore House language on tobacco research.

Mr. FORD. Mr. President, I say to the floor leader that I have been able to discuss this amendment with the distinguished Senator from New Jersey. He is fencing tobacco. But he is allowing us to continue research on alternate crops and other things. We have a colloquy which we would be willing to put into the RECORD. So I was able to sit down and to work it out with the Senator from New Jersey, and am more than willing to allow it to go through under those circumstances, I say to the floor manager.

Mr. BUMPERS. Mr. President, I understand the Senator from North Carolina has an additional amendment. I do not know what amendment it is. I do not know whether it is controversial nor whether it will require a rollcall vote.

There is an amendment by Senator HATCH which would curb the amount of money the FDA is using for cellular phones. I do not know whether Senator HATCH is going to offer that amendment or not.

There is another amendment by Senator MURKOWSKI which would raise the \$50 million cap on the business and industrial loan program of the Farmers Home Administration which, if it is offered, might require a rollcall vote.

Then there is an amendment by the Senator from Georgia [Mr. COVERDELL], to advance efficiency payments to farmers in the areas that have been recently devastated by floods in Alabama, Georgia, Florida, and perhaps one other State.

There is an additional amendment by Senator COVERDELL. But I am not sure what it is.

Then I have on my list two amendments by Senator CONRAD—I understand those are no longer relevant.

Then there is an amendment by Senator DANFORTH, and all my note says is "grain." I do not know what that amendment is.

Then there is the amendment of the Senator from Colorado on tobacco.

Mr. President, I do not see all that much involved here in disposing of these amendments. It seems to me that we are likely to have about 5 amendments that are going to require rollcall votes. But the principal purpose of reading the list as I have them is to encourage any other Senators who have amendments, if it is not on this list, to let us know as quickly as possible because I am quite sure the majority

leader is going to want to get an agreement as early as possible, possibly tonight or in the morning, to make this an exclusive list so we can finish this bill at the earliest possible time tomorrow.

Does the Senator from Mississippi wish to add anything, if I misstated anything on any of those amendments?

Mr. COCHRAN. Mr. President, if the distinguished Senator will yield, our Cloakroom has put out a request of all Republican Senators to let us know about amendments that they plan to offer to the bill. I can recite to the manager the list that this hotline produced of amendments by the following Senators:

Senators COVERDELL; COCHRAN; DOLE; DANFORTH; MURKOWSKI; BROWN, two amendments; MCCAIN; HATCH; HELMS, two amendments; MCCONNELL, two amendments; SPECTER, and GRAMM.

If any Senators on this side of the aisle plan to offer amendments that were not disclosed in this statement that I just made, I hope they will please let me know. But I do have that list that I can provide to the manager at this time.

Mr. BUMPERS. Mr. President, the list that the Senator from Mississippi just read is considerably greater and more comprehensive than I had anticipated. I see no point in pursuing this any further this evening. I do not think we can get an agreement on anything.

I yield the floor.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. BROWN. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Heflin amendment.

Mr. BROWN. I ask unanimous consent to set aside the Heflin amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I call for the regular order, and I ask unanimous consent to move to the committee amendment on page 32, line 20.

Mr. FORD. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BROWN. Obviously, at some point the committee amendments will be before us—

The PRESIDING OFFICER. The Chair informs the Senator that the parliamentary status is, the Senator having called for the regular order—the business before the Senate is the first committee amendment in a series of committee amendments on page 10, line 24.

Mr. BROWN. Mr. President, obviously, any Member is within his rights to object to moving to another part in the committee amendments. Obviously, we will reach those at some point. So my sense is that if Members are unwilling to grant us permission to

move on to page 32, I assume we should go ahead and deal with the committee amendments prior to that at this point.

The PRESIDING OFFICER. The Chair informs the Senate that under the regular order, the amendment previously identified by the Chair is the first in the series of committee amendments to be considered.

Mr. COCHRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. Mr. President, what is the pending amendment?

The PRESIDING OFFICER. The first excepted committee amendment on page 10, line 24.

Mr. BUMPERS. Mr. President, I urge adoption of that amendment.

The PRESIDING OFFICER. Is there further debate?

The question is on agreeing to the first excepted committee amendment on page 10, line 24.

The amendment was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2312

Mr. BUMPERS. Mr. President, I send an amendment to the desk on behalf of myself and Senator COCHRAN and ask for its immediate consideration.

The PRESIDING OFFICER. The Chair would enquire of the Senator, does the Senator seek unanimous consent to set aside the pending committee amendment?

Mr. BUMPERS. Mr. President, I ask unanimous consent that the committee amendments be set aside in order to offer this amendment.

The PRESIDING OFFICER. Is there objection?

Mr. FORD. Mr. President, reserving the right to object, and I will not, I do not expect, but once this amendment is accepted, then we are back to where we are now before the Senator asked for the committee amendment to be set aside?

The PRESIDING OFFICER. If the agreement as outlined is agreed to, that will be the procedure.

Mr. FORD. I thank the Chair.

Mr. BUMPERS. I might advise the Senator from Kentucky, we have a series of about six amendments which have been cleared and agreed to. We will offer those seriatim.

Mr. FORD. That suits me fine. I do not want to slow up anything the Senator is trying to do. I am just trying to protect my own interests.

The PRESIDING OFFICER. Without objection, the unanimous consent request propounded by the Senator from Arkansas is agreed to.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for himself and Mr. COCHRAN, proposes an amendment numbered 2312.

Mr. BUMPERS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 14, line 24, strike "\$1,500,000" and insert in lieu thereof: "\$4,350,000";

On page 16, line 3, strike "\$420,233,000" and insert in lieu thereof: "\$423,083,000"; and

On page 83, strike lines 6 through 16 and insert in lieu thereof:

"Sec. 724. No funds shall be available in fiscal year 1995 and thereafter for payments under the Act of August 30, 1890, and the tenth and eleventh paragraphs under the heading "Emergency Appropriations" of the Act of March 4, 1907 (7 U.S.C. 321 et seq.).

Mr. BUMPERS. Mr. President, this amendment is technical in nature. In current law, there is a permanent appropriation under the Morrill-Nelson Act of \$2,850,000 for higher education in agriculture. The House prohibited the permanent appropriation and instead appropriated the \$2,850,000 outright to the Challenge Grant Program within the bill. The approach is supported by the land grant and other institutions.

The purpose of this amendment is to make this approach permanent so that these funds will always be part of the annual appropriations bill.

The PRESIDING OFFICER. Is there further debate on the amendment?

The question is on agreeing to the amendment.

The amendment (No. 2312) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the committee amendments be temporarily laid aside in order to offer an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2313

(Purpose: Add funds for ARS building and facilities and CSRS buildings and facilities)

Mr. BUMPERS. Mr. President, I send an amendment to the desk, which has been cleared on both sides. The amendment is on behalf of Senators HOLLINGS, GRAMM of Texas, and MURRAY.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for Mr. HOLLINGS, for himself, Mr. GRAMM, and Mrs. MURRAY, proposes an amendment numbered 2313.

Mr. BUMPERS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered.

The amendment is as follows:

On page 12, line 23, strike "\$3,718,000" and insert: "\$43,718,000".

On page 16, line 15, strike "\$9,836,000" and insert: "\$62,744,000".

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 2313) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the committee amendments be set aside in order to offer an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2314

(Purpose: To provide \$1,726,000 for egg product inspection from appropriated funds rather than users fees)

Mr. BUMPERS. Mr. President, I send an amendment to the desk on behalf of myself and Senator KERREY of Nebraska.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for Mr. KERREY, proposes an amendment numbered 2314.

Mr. BUMPERS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 23, line 1, strike "\$533,929,000" and insert "\$533,094,000".

Mr. COCHRAN. Mr. President, let me state my support for this amendment. It deals with a situation that relates to a user fee issue which the committee feels should be corrected and we recommend the adoption of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 2314) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the pending amendments be set aside for the purpose of offering this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2315

(Purpose: To provide additional funding for the Soil Conservation Service's Conservation Operations and funding for grants for accommodating medical and special dietary needs of children with disabilities)

Mr. COCHRAN. Mr. President, on behalf of the Senator from Kansas [Mr. DOLE], I send an amendment to the desk and ask it be stated.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows: The Senator from Mississippi [Mr. COCHRAN], for Mr. DOLE, proposes an amendment numbered 2315.

Mr. COCHRAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 34, line 17, strike "\$582,141,000", and insert "\$591,049,000".

On page 71, line 3, strike "\$767,156,000", and insert "\$758,248,000".

On page 61, line 18, after the word "Institute", insert the following: "Provided further, That \$859,000 shall be available to provide grants to states for non-recurring costs in providing for the special dietary needs of children with disabilities".

SOIL CONSERVATION

Mr. DOLE. Mr. President, my congratulations to the chairman and ranking member for putting together this appropriations bill. I know they worked hard in developing a bill which would receive widespread support. As I indicated earlier, one of my concerns with the bill is the funding reduction for the Soil Conservation Service Conservation operations budget. The committee reduced funding by nearly \$9 million. In the scheme of things, this amount may seem small. However, when we take a look at the impact on America's farmers, the consequences are significant.

In the 1985 Food Security Act, Congress established the Conservation Reserve Program, the Highly Erodible Land Program and the Wetlands Conservation Program. These programs directed America's farmers to develop plans in an effort to conserve soil and water on America's farmland. The results of these efforts in my home State of Kansas alone have been 121,000 miles

of terraces constructed, 160,000 acres of waterways installed, and 2.9 million acres of permanent vegetation established. I believe most of us agree that these efforts have helped save millions of acres of soil and have improved water quality. Although these efforts reflect a great deal of progress, much remains to be done. In Kansas, 15,000 miles of terraces remain to be built, and 3,200 acres of waterways need to be installed just this year alone.

Farmers have done an excellent job of complying with the requirements of the 1985 farm bill. Working as partners with the Soil Conservation Service and local conservation districts, they have proven that as farmers, they are also environmentalists.

I believe Congress should send a message to the countryside that we are still supportive of efforts which conserve soil and water. My amendment restores funding for the Soil Conservation Service Conservation Operations budget to last year's level. We can not expect farmers to implement conservation plans without some type of technical assistance. The nearly \$9 million cut in funding for this program takes us in the wrong direction and I believe sends the wrong message.

I ask my colleagues to join me in supporting this amendment. This money will assist producers in their efforts to be good stewards of the land.

GRANTS FOR ACCOMMODATING MEDICAL AND SPECIAL DIETARY NEEDS OF CHILDREN WITH DISABILITIES

Mr. DOLE. Mr. President, Senator LEAHY and I are concerned that many of our Nation's school children are not participating in the National School Lunch and School Breakfast Programs because they have disabilities or eating disorders that prevent them from eating the meals as served.

In compliance with USDA child nutrition regulations and section 504 of the Rehabilitation Act of 1973, many schools around the country are working to make the programs accessible to these children. However, to accomplish this task these schools need specific technical guidance.

Section 123 of the Better Nutrition and Health for Children Act of 1994 requires USDA to provide guidance to assist schools and other institutions in accommodating the special dietary needs of these children. The guidance will give meal providers a greater understanding of how they can meet these needs. In many cases, accommodation may require no more than substituting fruit for a piece of cake or making available a special plate or cup. In other cases, the preparation of special meals may be necessary. The guidance will help providers determine what is appropriate for each child.

Section 123 also contains an authorization of \$1 million for grants to States to cover nonrecurring costs associated with accommodating special

needs children. These funds would be awarded on a competitive basis and could be used to purchase items such as special feeding and food preparation equipment. Other appropriate uses would be for providing training or purchasing education videos, manuals or other training materials which deal with accommodating children with special dietary needs.

Mr. President, I would like to offer an amendment to fund these grants at the level of \$859,000. I am concerned that this segment of the school population is not being addressed in the current nutrition education guidance issued by USDA. A popular maxim among those of us here in Congress who actively support school meal programs is that a hungry child cannot learn. This is doubly true of children with special dietary needs. For a child with diabetes or severe allergies, appropriate nutrition can mean the difference between sickness and health. For a child with a severe disability, appropriate nutrition can mean the difference between being alert and responsive or passive and withdrawn. These grants will assist the food service community in providing for the special needs of these children.

Mr. President, in closing I want to thank the distinguished chairman of the Agriculture Committee, Senator LEAHY, for his support and cooperation in this effort to meet the needs of children with disabilities. This focused attention to their needs will assure their full participation in the child nutrition programs. I urge my colleagues to give their support.

Mr. LEAHY. Mr. President, I am very pleased to join with the distinguished Republican leader on this amendment to help schools assist students with disabilities so that these students will enjoy the benefits of the school lunch program.

Senator DOLE has my full support and I commend him for his efforts this year, and in prior years, to make certain that all Americans live up to their full potential. The child nutrition bill—the Better Nutrition and Health for Children Act—authorizing funding for this important purpose and this amendment gets the job done.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 2315) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the committee amendments be set aside temporarily in order to offer an amendment.

The PRESIDING OFFICER (Mr. AKAKA). Without objection, it is so ordered.

AMENDMENT NO. 2316

(Purpose: To increase funding for the Great Plains Conservation Program, with an offset)

Mr. BUMPERS. Mr. President, I send an amendment to the desk for Mr. CONRAD and myself and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for Mr. CONRAD, for himself and Mr. BUMPERS, proposes an amendment numbered 2316.

Mr. BUMPERS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered.

The amendment is as follows:

On page 38, line 15, strike "\$11,672,000" and insert "\$18,672,000".

On page 71, line 3, strike "\$758,248,000" and insert "\$754,587,000".

On page 71, line 21, strike "\$159,708,000" and insert "\$163,369,000".

Mr. CONRAD. Mr. President, my amendment would restore \$7 million in funding for the Great Plains Conservation Program. The program, run by USDA's Soil Conservation Service, offers long-term technical assistance and cost-sharing to help protect agriculture lands in this region. The contracts, 3 to 10 years in length, allow landowners and operators to apply soil and water conservation resource management systems suited to their own needs.

The program is used by over 600 farmers and ranchers in North Dakota alone. It is a unique program targeted to total conservation treatment of entire farm or ranch units with the most severe soil and water resource problems. Program participation is voluntary and is carried out by applying a conservation plan on the entire operating unit.

The Great Plains Conservation Program has been in operation since 1958 and has treated over 154 million acres. Funding for the program remained constant at about \$20.4 million from 1987 to 1991 when funding was increased by about 20 percent.

I appreciate the support of the chairman of the Agricultural Appropriations Subcommittee Mr. BUMPERS and the ranking member Mr. COCHRAN in this effort.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2316) was agreed to.

Mr. BUMPERS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the committee amendments be set aside in order to offer an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2317

(Purpose: To permit the Secretary of Agriculture to make available certain amounts for FmHA farm ownership or operating loans)

Mr. BUMPERS. Mr. President, on behalf of Senator CONRAD, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for Mr. CONRAD, for himself, Mr. LEAHY, and Mr. DORGAN, proposes an amendment numbered 2317.

Mr. BUMPERS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 47, line 25, insert before the period the following: "Provided, That, notwithstanding any other provision of law, from the date of enactment of this Act until September 30, 1994, the Secretary of Agriculture—

"(1) may transfer funds so as to make available—

"(A) the amounts that would otherwise be available for gross obligations for the principal amount of farm ownership, operating, or emergency loans; and

"(B) the amounts that would otherwise be available for the cost of farm ownership, operating, or emergency loans (including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a));

for any of such gross obligations or such costs; and

"(2) may not expend any funds, or disburse any new loans, after September 30, 1994, made available by a transfer described in paragraph (1) for fiscal year 1994".

Mr. CONRAD. Mr. President, I am offering an amendment today on behalf of myself and Senators LEAHY and DORGAN. This amendment would allow the Secretary of Agriculture to shift unused funds from various Farmers Home Administration [FmHA] farmer programs to its direct and guaranteed operating loan programs and other underfunded farmer loan programs.

FmHA is already out of money for direct operating loans for fiscal year 1994. This shortfall is due to very high demand for the program, FmHA's renewed commitment to assisting borrowers, and interest rates changes that have reduced the amount FmHA can lend with the credit subsidy appropriated. This program has been severely cut since 1985, when actual obligations were \$3.6 billion—six times this year's levels.

There remains a very high, unmet demand for these loans. FmHA has no

funds available to make approximately 3,000 direct operating loans for which it has already approved applications. In addition, more funding is needed for guaranteed operating loans because of a recent mandatory funding shift to the beginning farmer downpayment loan program. This amendment will allow FmHA to meet some of this demand.

While FmHA has some excess funds available in other programs, such as emergency loans and beginning farmer downpayment loans, it does not have the authority to shift significant amounts between accounts. This amendment will give the Secretary the authority to shift these funds as needed to fund direct and guaranteed operating loans and farm ownership loans. With this amendment, FmHA expects that it will be able to make an additional \$54 million in direct operating loans and \$150 million in guaranteed operating loans.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 2317) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I rise in support of the agriculture, rural development, and related agencies appropriations bill as reported by the Senate Appropriations Committee.

The Senate-reported bill provides \$67.4 billion in new budget authority and \$43.1 billion in new outlays for the Department of Agriculture, Food and Drug Administration, and related agencies for fiscal year 1995.

When outlays from prior-year budget authority and other completed actions are taken into account, the Senate-reported bill totals \$58 billion in budget authority and \$50.2 billion in outlays for fiscal year 1995.

Based on CBO estimates, the Senate subcommittee is \$525.3 million in budget authority below the subcommittee's 602(b) allocation and essentially at the subcommittee's outlays allocation. The Senate-reported bill is \$561.6 million in budget authority and \$266.9 million in outlays below the President's request.

I recognize the difficulty of bringing this bill to the floor under a constrained 602(b) allocation.

I commend the distinguished subcommittee chairman and ranking member for their support of \$3.47 billion for the WIC Program, an increase of \$260 million over the 1994 level.

I appreciate the subcommittee's support for a number of ongoing projects

and programs important to my home State of New Mexico as it has worked to keep this bill within its budget allocation.

Mr. President, the House-passed bill included \$5 million for the Colorado River Basin Salinity Control Program which is \$3.4 million below the President's request and \$8.8 million below the current level. This bill does not provide funding for this program.

This program assists landowners and others in the Colorado River Basin in establishing irrigation management systems and related lateral improvement measures to decrease salt load and sedimentation levels in the Colorado River.

This enhances the supply and quality of water available for use in the United States and the Republic of Mexico.

I would respectfully appreciate the support of the chairman and ranking member for this program in conference.

I urge the adoption of the bill.

Mr. BUMPERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Arkansas suggests the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SIMPSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Wyoming is recognized.

Mr. SIMPSON. I thank the Chair.

(The remarks of Mr. SIMPSON pertaining to the introduction of S. 2294 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. BROWN. Mr. President, at the appropriate time, I will offer an amendment that is designed to make sure that the new tobacco subsidy program that is incorporated in the agreements with regard to trade is amended so that we make a clear policy that there can be no net tax consequence or no cost to the taxpayer.

My hope had been to move to that section of the bill where I am allowed to offer my amendment tonight. We have already tried to do that. Permission was denied. I wanted to alert the body that I am going to persist in this effort to make sure that the taxpayer is not stuck with additional costs because of protectionist trade practices.

There are specific provisions in article 28 under the GATT which allows for a compensation to other countries that are impacted by restricted trade practices. It is very clear that the restrictions on tobacco fall into that cat-

egory. It is quite clear that they will result in retaliation against America; that the taxpayers or other products will be impacted by that. The substance of my amendment will simply be to make it clear there is no net cost to the U.S. taxpayers for this protectionist action.

Mr. President, I simply want to make clear that we intend to pursue this. It is unfortunate we cannot move ahead tonight. This certainly is not going to be a reason to back down or fail to offer this alternative.

The last observation I want to make, I understand distinguished Members standing up for their State, and I understand their good will and effort and sincerity in that effort, but there is another factor that I must say I truly believe. Insisting that tobacco sell for a price in this country dramatically higher than it does around the world, when you have in existence a GATT agreement and a variety of other agreements, including the North American Free-Trade Agreement, that that runs counter to, is a losing policy. It is a losing policy because if it costs significantly more to buy American tobacco, and you do not allow other tobacco in the country, you simply are going to move the processing of tobacco out of the country.

So, if we continue on this current policy, or we continue on the protectionist attitude toward tobacco, what we will do is not only lose those jobs that process tobacco, but we will also lose the entire tobacco program and the tobacco growth here. The reason we will is, in spite of the protectionist efforts, we will have moved the customer offshore. There is no restriction on sending in the finished product. Until there is, there is simply no way to achieve what the folks have tried to in this area.

Lastly, Mr. President, let me say I think it is terribly important that we as a country commit ourselves to compete long range. To begin to believe that we can hide from competition, that we can sell off our markets, that we can artificially price our commodities, I believe, is a mistake.

No one in the world is as efficient or productive in growing tobacco as Americans. We are the ones who showed the world how to do it. We were the colonies that prospered, when no other crop seemed to grow well. We are the people who know how to compete better than anybody in the world.

I believe the sooner we move to a competitive policy in this area, the better off this Nation will be.

Is it a painful transition? Yes. But to believe that it is in the long-term interest of tobacco growers to hide from the market and to run manufacturing offshore, I believe, is a mistake.

I yield the floor, Mr. President.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kentucky.

Mr. FORD. Mr. President, it sounds good, they are doing things, and we want to be competitive, and all that. The Senator from Colorado fundamentally misunderstands what the article 28 process is all about. His proposal does not even fit in the negotiations and the tariffs that are used under GATT.

So we talk about paying, are you going to pay another country cash? Are you going to send them a check? That is not the way you do trade. Our trade representative is attempting to negotiate the best possible deal to subsidize markets without requiring any compensation to any country. Compensation is mere hypothetical because the outlined strategy by our trade representative is for zero competition.

If my colleague from Colorado would like to know something about tobacco, would like to know something about world trade, or wants to know something about taxes, wants to know something about tariffs, wants to know something about nontariff restrictions, here are 132 pages, single spaced, what other countries do to us. And you are trying to move in and make it even worse—132 pages of restrictions, taxes and tariffs that other countries do.

I want to tell you, Mr. President, the understanding here is that we try to be fair, we try to help everyone. There is nothing fair about this amendment at all.

I wish to say one thing. When we start talking tomorrow, it may be a while because I intend to see, No. 1, that this amendment that the Senator from Colorado has does not pass; No. 2, if it gets into a position at some point that this amendment passes, the Senate will vote on increased grazing fees. We may not get it on as a second-degree, may not get it on this way, but I promise Senators that they will have a chance, if this amendment is passed, to vote on increased grazing fees before this bill is passed.

I yield the floor.

Mr. BUMPERS. Mr. President, I wish to move to reconsider the vote by which the committee amendments were adopted en bloc yesterday.

Mr. COCHRAN. I move to lay that motion on the table, Mr. President.

Mr. BROWN. Reserving the right to object, I wonder if the distinguished floor leader would advise me as to what particular committee amendments those were?

Mr. COCHRAN. To respond, if the Senator will yield, these are the amendments that were adopted yesterday en bloc. There were several amendments that were excepted from the en bloc adoption, and this motion to reconsider simply is a technical step to ensure that that is final action by the Senate.

Mr. BROWN. I thank the Senator for his explanation.

The motion to lay on the table was agreed to.

Mr. LAUTENBERG. Mr. President, it is my intention, at the appropriate time, to move to table two Committee amendments to this bill or have the floor managers do this. This action will restore House language that prohibits the Department of Agriculture from spending money on research related to the production, processing or marketing of tobacco products.

Mr. President, I want to make one thing clear up front. My tabling motions, if successful, will not prohibit the expenditure of funds for research on converting tobacco producing farms to farms that grow alternative crops. I support these efforts and I sympathize with those tobacco farmers who desire to convert their fields and grow other crops. I also want to make clear that the House prohibition does not cover health and safety research grants for tobacco farmers and those who work in tobacco fields.

Mr. President, for many years, Congress has funded USDA research to help the tobacco industry better produce tobacco. Some of these grants were given out to universities and USDA research stations to help the tobacco industry better grow tobacco. In effect, the U.S. Government is encouraging and promoting tobacco products through this research.

At the same time, we spend millions of dollars discouraging the use of the same product. The Department of Health and Human Services spends approximately \$140 million each year for this purpose. How ironic! How stupid!

But to make matters worse, we spend approximately \$21 billion a year in Medicare and Medicaid expenses for the health care costs of those who suffer from tobacco-related illnesses.

Mr. President, the American people simple do not understand this contradiction. Why do we spend money promoting a product at the same time we spend money trying to discourage the use of the very same product? Mr. President, I do not have an answer to this question. I do not think anyone has an answer.

Mr. President, if we restore the House language, we will in effect cut \$7 million in taxpayers money that is being spent by USDA to promote the production of tobacco. This language passed the House without opposition. President Clinton proposed eliminating half of this money in his fiscal year 1995 budget submission. Now it is time for the Senate to go on record to cut all \$7 million of USDA tobacco-related research.

Mr. President, some of my colleagues may wonder why I often take the floor to fight against tobacco use and the tobacco companies. If anyone thinks taking on this fight is easy—I can say candidly that it is not. I take the floor time and time again because tobacco-related illness is the largest cause of premature death in this country. In

1993, it caused approximately 420,000 premature deaths. This is more deaths each year than those that result from alcohol, heroin, crack, automobile and airplane accidents, murders, suicides, and AIDS—combined.

Furthermore, recent reports revealed in the newspapers and at House hearings indicate that the tobacco companies have manipulated the nicotine levels in their cigarettes to keep people addicted for life.

And the tobacco companies claim that nicotine is only to enhance the flavor of a cigarette. But the Commissioner of the FDA, David Kessler, a pediatrician, states that nicotine is an addictive drug. A drug more addictive than cocaine. It is no wonder that when teenagers start to smoke, they end up being adult smokers.

Mr. President, even the general counsel for the Brown and Williamson tobacco company stated 31 years ago in an internal memo that

We are, then, in the business of selling nicotine, an addictive drug in the release of stress mechanism.

This is not a government official calling nicotine an addictive drug—not an antismoking advocate. This is a tobacco company employee.

Mr. President, as some may know, the tobacco industry has put together a front group called the Council for Tobacco Research. According to press reports, this front group was established in 1954, by the industry in consultation with major public relations firm, to supposedly fund scientific research on tobacco. Each year, the council funds approximately \$20 million a year in so-called independent research on tobacco.

I would say to my colleagues, if the \$7 million in USDA research is important to the tobacco industry and to the farmers who they buy tobacco from, then the Council for Tobacco Research should use some of their \$20 million a year they have to pay for it. If not, I am sure that the seven tobacco companies, whose profits are estimated at over \$7 billion annually, could find some extra money to pay for the \$7 million in USDA tobacco-related research.

Mr. President, we are living in a new era—one of increased awareness about the dangers of tobacco use. In 1964, the Surgeon General Luther Terry issued the first surgeon general's report on the dangers of smoking. Since then, there have been over 20 additional surgeon general reports documenting the dangers of smoking. Furthermore, there have been over 40,000 studies that have showed causation between smoking and illnesses like heart disease and lung cancer.

Mr. President, since that first surgeon general's report we have lost over 9 million people to tobacco-related illnesses—9 million people lost. This is a tragedy. Our Government should do

whatever it can to discourage tobacco use. We should raise the excise tax on tobacco products to help pay for health care reform and discourage tobacco use among young people.

We should strongly consider having the FDA regulate cigarettes as a drug. Currently, the FDA regulates nicotine patches for those who are trying to quit smoking but does not regulate the nicotine in cigarettes that killed 420,000 persons in 1993. We spend FDA resources to regulate drugs that try to save lives but don't regulate a product that takes lives. This doesn't make any sense.

We should also pass legislation to protect people from breathing second-hand smoke—a group A carcinogen that causes 3,000 lung cancer deaths per year and thousands of respiratory illnesses each year in our children. As my colleagues may know, I authored the law that banned smoking on airplanes. In addition, earlier this year, the Congress passed a provision in the Goals 2000 bill that I wrote that prohibits smoking in public schools, day care centers and other federally funded programs that serve children.

Mr. President, in conclusion, I urge you to support my efforts to cut Federal funding for tobacco-related research. This will save \$7 million and send a signal to the American people that we will no longer promote a product that kills.

Mr. LAUTENBERG. Mr. President, it is my intention now to move to table two committee amendments to this bill which would restore House language tied to the Agricultural Research Service [ARS] and the Cooperative State Research Service [CSRS] that states "none of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing, or marketing of tobacco products." But before I do that, I would like to enter into a colloquy with the distinguished Senator from Kentucky, the majority whip.

Mr. FORD. I thank my colleague. Mr. President, the Senator from New Jersey seeks to table the two mentioned committee amendments to this bill. Since the referenced language is not specific, I would like to ask the distinguished Senator from New Jersey a few questions about the intent of the House language and his attempts to restore it. First, it is the intent of the Senator from New Jersey to prohibit the use of ARS and CSRS funds for research related to using the tobacco plant as a model for various types of genetic and biotechnology research?

Mr. LAUTENBERG. No.

Mr. FORD. Is it the intent of the Senator from New Jersey to prohibit the use of ARS and CSRS funds for tobacco research related to the health and safety of tobacco workers and tobacco farmers?

Mr. LAUTENBERG. No.

Mr. FORD. Is it the intent of the Senator from New Jersey that his amendments would not prohibit ARS and CSRS from funding tobacco-related research relating to the development of alternative crops for farmers who grow tobacco?

Mr. LAUTENBERG. No.

Mr. FORD. Is it the intent of the Senator from New Jersey to reduce the overall funding level of the Cooperative State Research Service?

Mr. LAUTENBERG. No.

Mr. FORD. I thank my friend from New Jersey for taking the time to clarify his intentions.

Mr. LAUTENBERG. I thank my friend from Kentucky. I think we have reached a reasonable compromise on this issue. I appreciate his willingness to work together with me on this issue and many others. Mr. President, at this time I move to table the committee amendment on page 12 lines, 14 to 17 and the committee amendment on page 16, lines 4 to 7. I understand that there is no request for the yeas and nays, so I move that the two amendments be tabled en bloc by voice vote.

Mr. BUMPERS. Now, Mr. President, I move to table the committee amendment at page 12, lines 14 through 17. As I understand it, that is the pending amendment.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the motion.

The motion was agreed to.

Mr. BUMPERS. Mr. President, I move to reconsider the vote.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS. Mr. President, I urge adoption of the committee amendment on page 16, line 3.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The committee amendment was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now occurs on the committee amendment on page 16, line 4.

Mr. BUMPERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Arkansas suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. FORD. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators allowed to speak therein up to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

FORMER MILWAUKEE MAYOR HENRY W. MAIER

Mr. FEINGOLD. Mr. President, the city of Milwaukee is well known for its diverse ethnic communities, celebrations of those neighborhoods, and innovative political leaders. This past Sunday, July 17, 1994, former Milwaukee Mayor Henry W. Maier, a leader who embraced the city, passed away.

Henry W. Maier was a Democrat who served the people of Wisconsin and Milwaukee from 1950 to 1960 as a State senator and subsequently as mayor of the city of Milwaukee for 28 years.

Mayor Maier was one of the leading mayors in the country advocating urban development. He created the first formal City Government Economic Development Agency in the Nation, and established the Social Development Commission to address the concerns of the elderly, young, and low-income citizens of Milwaukee. During Mayor Maier's term, Milwaukee won the Nation's top award in the Keep America Beautiful Campaign. His legacy continues as the highways in Milwaukee are graced with wildflowers.

Like so many other Wisconsin political leaders, Mayor Maier was extremely active in the city's civic programs and recognized the diversity of the State, especially in Milwaukee. Milwaukee is affectionately known as the City of Festivals, due largely in part to Mayor Maier's efforts to celebrate the city's ethnic communities. As mayor, he established Summerfest in 1968 and promoted the various other ethnic festivals which today are celebrated annually on Milwaukee's lakefront grounds now named in his honor.

Mayor Norquist, a Democrat who succeeded him, praised Maier as a man who stood up for Milwaukee. Former Mayor Zeidler observed that Maier was "the most powerful mayor in the history of the city" according to the Wisconsin State Journal.

On Sunday, Mayor Maier died from complications of pneumonia at his home. As we continue to strive for a new urban agenda for our U.S. cities, the people of Milwaukee will fondly remember Henry W. Maier and his dedication. The people of Milwaukee are deeply thankful for his lifetime of public service and will miss his presence.

MAYOR HENRY W. MAIER

Mr. KOHL. Mr. President, earlier this week, former Milwaukee Mayor Henry

W. Maier died in the privacy of his home with his wife Dr. Karen at his side. But the solitude of the mayor's passing gives rise to the recognition of a great legacy that few in government or politics could ever hope to achieve. "The Mayor" is how the people of Milwaukee fondly referred to their leader of 28 years. Henry W. Maier was a Milwaukee Nationalist, a fighter—he was the people's mayor and in the course of his tenure became a spokesman for all of urban America.

Throughout his career, the mayor battled for resources for our cities. He led the fight for general Federal revenue sharing, urban development action grants and many other programs aimed at improving the lives of the working men and women who dwell in our cities.

In Milwaukee, he made sure that the city government was efficient—that the garbage was picked up, the snow was removed and that police and fire protection was always there when the people needed them. He operated a lean city government maintaining a high level of service without breaking the backs of the taxpayer or sacrificing Milwaukee's long-heralded financial rating. He was on the front lines every day battling for his fellow Milwaukee citizens.

And the mayor served with honor and dignity providing clean and honest government to the citizens he was elected seven times to represent.

It's with great sadness that I say goodbye to a great Milwaukeean and great American—Mayor Henry W. Maier.

REPORT ON CONTINUATION OF THE NATIONAL EMERGENCY WITH IRAQ—MESSAGE FROM THE PRESIDENT—PM 134

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the FEDERAL REGISTER and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Iraqi emergency is to continue in effect beyond August 2, 1994 to the FEDERAL REGISTER for publication.

The crisis between the United States and Iraq that led to the declaration on August 2, 1990, of a national emergency

has not been resolved. The Government of Iraq continues to engage in activities inimical to stability in the Middle East and hostile to United States interests in the region. Such Iraqi actions pose a continuing unusual and extraordinary threat to the national security and vital foreign policy interests of the United States. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure to the Government of Iraq.

WILLIAM J. CLINTON.
THE WHITE HOUSE, July 19, 1994.

MESSAGES FROM THE HOUSE

At 4:50 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 537. An Act for the relief of Tania Gil Compton.

S. 1880. An Act to provide that the National Education Commission on Time and Learning shall terminate on September 30, 1994.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 820) to amend the Stevenson-Wylder Technology Innovation Act of 1980 to enhance manufacturing technology development and transfer, to authorize appropriations for the Technology Administration of the Department of Commerce, including the National Institute of Standards and Technology, and for other purposes; and agrees to a conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as managers of the conference on the part of the House:

From the Committee on Science, Space, and Technology for consideration of the House bill (except sections 211-214 and 504), and the Senate amendment (except title XI, sections 221, 303(d), 504, and 601-613), and modifications committed to conference: Mr. BROWN, Mr. VALENTINE, Mr. ROEMER, Mr. McHALE, Mr. BECERRA, Mr. WALKER, Mr. LEWIS of Florida, and Mr. ROHRBACHER.

From the Committee on Science, Space, and Technology for consideration of sections 211-214 and 504 of the House bill, and sections 221, 303(d), 504, and 601-613 of the Senate amendment, and modifications committed to conference: Mr. BROWN, Mr. VALENTINE, Mr. BOUCHER, Ms. ESHOO, Mr. BECERRA, Mr. WALKER, Mr. BOEHLERT, and Mr. BARTLETT of Maryland.

From the Committee on Science, Space, and Technology for consideration of title XI of the Senate amendment, and modifications committed to conference: Mr. BROWN, Mr. VALENTINE, Mr. ROEMER, Mr. McHALE, Mr. BECERRA, Mr. KLEIN, Mr. BOUCHER, Mr.

WALKER, Mr. LINDER, Mr. HOKE, and Mr. BAKER of California.

As additional conferees from the Committee on Banking, Finance and Urban Affairs for consideration of sections 331-337, 341-361, 503(a) (4) and (5), 5039(b) (5) and (6) of the House bill, and sections 216, 306, and 307, the second 503(4), 1002, 1004, 1011, and title XI of the Senate amendment, and modifications committed to conference: Mr. GONZALEZ, Mr. KANJORSKI, and Mr. RIDGE.

As additional conferees from the Committee on Education and Labor for consideration of sections 346 and 407 of the House bill, and title XI, sections 211 and 212 insofar as said sections relate to workforce training and labor, sections 410, 604, 607-613, 1201, 1202, and 1302 of the Senate amendment, and modifications committed to conference: Mr. FORD of Michigan, Mr. WILLIAMS, and Mr. GOODLING.

As additional conferees from the Committee on Government Operations for consideration of title XI and section 1301 of the Senate amendment, and modifications committed to conference: Mr. CONYERS, Mr. TOWNS, and Mr. CLINGER.

As additional conferees from the Committee on the Judiciary for consideration of that portion of section 205 adding section 304(g) to the Stevenson-Wylder Technology Innovation Act of 1980, and section 361 of the House bill, and title IX, section 307, that portion of section 603 of adding section 101(d) to the High-Performance Computing Act of 1991, sections 1005-1009, 1011-1013, and 1303 of the Senate amendment, and modifications committed to conference: Mr. BROOKS, Mr. SYNAR, and Mr. FISH.

MEASURES REFERRED

The following bill, previously received from the House of Representatives, was read the first and second times by unanimous consent and referred as indicated:

H.R. 3817. An Act to amend the Fishermen's Protective Act; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-3068. A communication from the Secretary of Energy, transmitting, pursuant to law, the report on the Electric and Hybrid Vehicles Program for fiscal year 1993; to the Committee on Commerce, Science, and Transportation.

EC-3069. A communication from the Deputy Associate Director for Compliance (Royalty Management Program), Minerals Management Service, Department of the Interior,

transmitting, pursuant to law, a report of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC-3070. A communication from the Assistant Secretary of Energy (Office of Policy), transmitting, pursuant to law, the report entitled "Costs and Benefits of Industrial Reporting and Voluntary Targets for Energy Efficiency"; to the Committee on Energy and Natural Resources.

EC-3071. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, notice of a Presidential Determination relative to Haitian migrants; to the Committee on Foreign Relations.

EC-3072. A communication from the Assistant Legal Adviser (Treaty Affairs), Department of State, transmitting, pursuant to law, a report of the texts of international agreements and background statements, other than treaties; to the Committee on Foreign Relations.

EC-3073. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-270 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3074. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-271 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3075. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-272 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3076. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-273 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3077. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-274 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3078. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-275 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3079. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-276 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3080. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-277 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3081. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-278 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3082. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-279 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3083. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-280 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3084. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-281 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3085. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-282 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3086. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 10-283 adopted by the Council on June 21, 1994; to the Committee on Governmental Affairs.

EC-3087. A communication from the Comptroller General, transmitting, pursuant to law, the report of the audit of the financial statements of the Federal Deposit Insurance Corporation for calendar years 1992 and 1993; to the Committee on Governmental Affairs.

EC-3088. A communication from the Office of Special Counsel, transmitting, pursuant to law, the annual report for fiscal year 1993; to the Committee on Governmental Affairs.

EC-3089. A communication from the Director of the Office of National Drug Control Policy, Executive Office of the President, transmitting, a draft of proposed legislation to create an exception to Title 18 concerning acts of violence against civilian aircraft; to the Committee on Governmental Affairs.

EC-3090. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report concerning the status of children in Head Start Programs; to the Committee on Labor and Human Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Labor and Human Resources, without amendment:

S. 2296. An original bill to ensure individual and family security through health care coverage for all Americans in a manner that contains the rate of growth in health care costs and promotes responsible health insurance practices, to promote choice in health care, and to ensure and protect the health care of all Americans (Rept. No. 103-317).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. BIDEN, from the Committee on the Judiciary.

John R. Schmidt, of Illinois, to be Associate Attorney General.

(The above nomination was reported with the recommendation that he be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second time by unanimous consent, and referred as indicated:

By Mr. HATFIELD (for himself, Mr. SIMPSON, and Mr. WELLSTONE):

S. 2294. A bill to amend the Public Health Service Act to provide for the expansion and coordination of research concerning Parkinson's disease and related disorders, and to improve care and assistance for its victims and their family caregivers, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. FORD:

S. 2295. A bill to authorize extensions of time limitations in a FERC-issued license; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY:

S. 2296. An original bill to ensure individual and family security through health care coverage for all Americans in a manner that contains the rate of growth in health care costs and promotes responsible health insurance practices, to promote choice in health care, and to ensure and protect the health care of all Americans; from the Committee on Labor and Human Resources; placed on the calendar.

By Mr. METZENBAUM (for himself, Mr. THURMOND, Mr. KENNEDY, Mr. BIDEN, Mr. LEAHY, Mr. SIMON, Mr. SIMPSON, and Mr. GRASSLEY):

S. 2297. A bill to facilitate obtaining foreign-located antitrust evidence by authorizing the Attorney General of the United States and the Federal Trade Commission to provide, in accordance with antitrust mutual assistance agreements, antitrust evidence to foreign antitrust authorities on a reciprocal basis; and for other purposes; to the Committee on the Judiciary.

By Mr. LEAHY (for himself and Mr. LUGAR):

S. 2298. A bill to amend the Farm Credit Act of 1971 to enhance the ability of the banks for cooperatives to finance agricultural exports and for other purposes to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GREGG:

S. Con. Res. 72. A bill expressing the sense of the Congress that the President should refrain from signing the seabed mining agreement relating to the Convention on the Law of the Sea; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATFIELD (for himself, Mr. SIMPSON and Mr. WELLSTONE):

S. 2294. A bill to amend the Public Health Service Act to provide for the expansion and coordination of research concerning Parkinson's disease and related disorders, and to improve care and assistance for its victims and their family caregivers, and for other purposes; to the Committee on Labor and Human Resources.

THE MORRIS K. UDALL PARKINSON'S RESEARCH, EDUCATION AND ASSISTANCE ACT OF 1994

Mr. HATFIELD. Madam President, today I am privileged to introduce legislation that both honors a man worthy of great esteem and strives to improve a vital Federal research program. The Morris K. Udall Parkinson's Research, Education and Assistance Act of 1994 is the first effort to strengthen the Federal Parkinson's disease research program and is desperately needed to fight this cruelly debilitating disease.

Mo Udall served the United States and the people of Arizona as the Congressman from the Second District for 30 years. Mo's integrity, his intellect, his deep commitment to public service, and his famous wit made him one of the most revered public servants of the last few decades.

Mo Udall's brilliant career in Congress was cut short by Parkinson's disease. Diagnosed in 1980, Mo struggled with the neurological decay and decreased motor skills of the disease for years before he resigned from Congress in May 1991.

I could speak for days about Congressman Udall's legislative legacy. He will primarily be remembered for his stewardship of the public lands. As chairman of the Interior Committee and as a Congressman from the West, Mo helped set aside millions of acres of land as wilderness, including about half of the land of the great State of Alaska. He worked to reform mining law and to protect the rights of many Indian tribes.

Mo also had a great commitment to political reform. He worked to reform the rules of the House and to secure important campaign finance reform. He cared deeply about human beings and championed civil rights throughout his career. He was a friend and mentor to many and a champion to constituencies all across this country.

If Mo Udall was the only victim of Parkinson's disease, our Nation would have sustained a huge loss. But Mo Udall is not the only person to suffer with Parkinson's. Over 1 million Americans struggle with this degenerative neurological disorder—more than suffer from multiple sclerosis, muscular dystrophy, and Lou Gehrig's disease [ALS] combined. It is one of the most common of the chronic neurological diseases affecting older adults, and yet the cause, as well as the cure, remains unknown.

Parkinson's disease often begins with an occasional tremor in a finger or hand which becomes more frequent over time. Men and women are nearly equally affected by the disease and while the incidence of the disease is highest in those persons over 50, an increasingly high number of patients in their thirties and forties have early-onset Parkinson's.

The great tragedy of Parkinson's disease is that we need not suffer this

enormous loss. There is tremendous potential for major scientific breakthroughs in the prevention and treatment of Parkinson's. Scientists have recently discovered evidence of genetic and neurotoxic links to the cases of the disease and new treatments, involving neural growth factors, tissue implants, and genetic engineering.

This potential, however, is stymied by the lack of investment in Parkinson's research. The Federal research effort into this devastating disease has been grossly underfunded. The Federal Government provides only about \$30 million annually to Parkinson's research, compared to over \$300 million of Alzheimers, and much more to diseases like cancer, heart disease, and AIDS. I have seen the dramatic benefits of a coordinated Federal strategy for Alzheimers research, and I know we can achieve great results by increasing our commitment to Parkinson's research.

The Morris K. Udall Parkinson's Research, Education and Assistance Act provides for the expansion and coordination of Parkinson's research and improves the care and assistance to victims and families. This bill creates a national council to coordinate Parkinson's research and charges the council and the Secretary of Health and Human Services with developing a coordinated research agenda. In addition, the bill would create 10 Parkinson's research centers to conduct research and enhance community awareness. Moreover, the bill creates new research grants and awards, a patient and family registry, and a National Parkinson's Disease Education Program.

Of course, the great challenge we face is to find the dollars in our Federal system to support increased Parkinson's research. This bill plots the roadmap for a coordinated Federal strategy for Parkinson's, but its future fate depends on the passage of proposal like the Harkin-Hatfield National Fund for Health Research. This proposal, now attached to the major vehicles for health care reform which are moving through the Senate, is expected to provide an increase of between \$4 and 5 billion for the biomedical research infrastructure at the National Institutes of Health.

The Morris K. Udall Parkinson's Research, Education and Assistance Act is both a critical link in strengthening our ability to combat Parkinson's disease and a vivid reminder of the remarkable record, decency, and remarkable warmth of our friend from Arizona.

I would only like to close my brief comments and yield to my colleague from Minnesota, who is an original cosponsor. I want to say to those who ask the obvious and forthright question, "How are we going to fund this?" that we have a plan. We know now that the funding for our commitments of the

moment far exceed our ability to maintain those commitments, at least when one considers the factor of inflation and other such factors. This is especially true with biomedical research, where the promising research far exceeds the available resources. This is what led Senator HARKIN of Iowa and myself to introduce what has come to be known as the Harkin-Hatfield National Fund for Health Research, a trust fund financed by a set aside from a premium surtax on health insurance policies. The income would be directed to a medical trust research fund.

This could produce, when it is fully implemented, \$4 to \$5 billion more for medical research at the National Institutes of Health.

This proposal has the broad support of the public, more than 70 percent of the public, agree with the statement: "I would be willing to pay more for my premiums," or "I would be willing to pay more in taxes," "if it were earmarked for medical research."

So we are very hopeful that the Harkin-Hatfield proposal on the research trust fund can be executed in this Congress, as well as this Mo Udall Parkinson's bill.

It is an honor for me to introduce this legislation today with the support of my friends, Senator SIMPSON and Senator WELLSTONE. Both of these colleagues of ours have firsthand experience, Senator SIMPSON's father and Senator WELLSTONE's mother and father both with Parkinson's. The House sponsor is Congressman HENRY WAXMAN joined by Congressman FRED UPTON. Together, we urge our colleagues in the House and Senate to join in this effort to stop the devastation of Parkinson's.

Madam President, I ask unanimous consent that the bill be printed in the RECORD, along with a section-by-section analysis, and support letters from members of the Parkinson's advocacy community.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2294

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Morris K. Udall Parkinson's Research, Education, and Assistance Act of 1994".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Parkinson's disease and related disorders (hereafter referred to in this Act as "Parkinson's") is a neurological disorder affecting as many as 1,500,000 Americans.

(2) Approximately 40 percent of persons with Parkinson's are under the age of 60.

(3) While science has yet to determine what causes the disease, research has found that cells that produce a neurochemical called dopamine inexplicably degenerate, causing uncontrollable tremors, muscle stiffness, and loss of motor function.

(4) Eventually, Parkinson's renders its victims incapable of caring for themselves. In addition to causing disability and suffering for its victims, Parkinson's places tremendous and prolonged physical, emotional, and financial strain on family and loved ones.

(5) It is estimated that the disease costs society nearly \$6,000,000,000 annually.

(6) To date, the federally funded research effort has been grossly underfunded. Only \$30,000,000 is allocated specifically for research on Parkinson's, or only about one dollar for every \$200 in annual societal costs.

(7) In order to take full advantage of the tremendous potential for finding a cure or effective treatment, the Federal investment in Parkinson's must be expanded, as well as the coordination strengthened among the National Institutes of Health research institutions.

(b) PURPOSE.—It is the purpose of this Act to provide for the expansion and coordination of research concerning Parkinson's, and to improve care and assistance for its victims and their family caregivers.

SEC. 3. BIOMEDICAL RESEARCH ON PARKINSON'S DISEASE.

Part E of title IV of the Public Health Service Act (42 U.S.C. 287 et seq.) is amended by adding at the end thereof the following new subpart:

"Subpart 4—Parkinson's Disease Research

"SEC. 485G. PARKINSON'S DISEASE RESEARCH.

"(a) EXPANSION OF BIOMEDICAL RESEARCH.—

"(1) COORDINATION COUNCIL.—The Director of the National Institutes of Health shall establish a council to coordinate Parkinson's research activities. Members of the council shall include the Director of the National Institutes of Health, the Director of the National Institute of Neurological Disorders and Stroke, the Director of the National Institute on Aging, the Director of the National Institute of Environmental Health Sciences, patient advocates, and representatives of other departments and agencies conducting or supporting research on Parkinson's.

"(2) NATIONAL CONSENSUS CONFERENCE.—The council established under paragraph (1) shall convene a National Consensus Conference on Parkinson's Disease and Related Neuro-degenerative Disorders to aid in the development of a broad-based strategy for identifying the cause of and treating such disorders.

"(3) RESEARCH AGENDA.—Not later than 180 days after the date of enactment of this section, and annually thereafter, the Secretary, in consultation with the council established under paragraph (1), shall develop and submit to the Energy and Commerce Committee and the Appropriations Committee of the House of Representatives and the Labor and Human Resources Committee and the Appropriations Committee of the Senate, a coordinated research agenda.

"(4) RESEARCH CENTERS.—The Secretary shall provide for the establishment of 10 Parkinson's Research Centers. Such centers shall—

"(A) conduct research into the cause, prevention, treatment, and management of Parkinson's;

"(B) disseminate clinical information concerning Parkinson's and provide patient care services;

"(C) provide training for health care personnel concerning Parkinson's;

"(D) coordinate research with other such Centers and related public and private research institutions;

"(E) develop and maintain, where appropriate, a tissue bank to collect specimens related to the research and treatment of Parkinson's; and

"(F) enhance community awareness concerning Parkinson's and promote the involvement of advocate groups.

"(b) MORRIS K. UDALL FEASIBILITY STUDY GRANTS.—The Secretary may award feasibility study grants under this section to support the development of preliminary data sufficient to provide the basis for the submission of applications for independent research support grants or establishment of a Center under this section.

"(c) MORRIS K. UDALL LEADERSHIP AND EXCELLENCE AWARDS.—The Secretary shall establish a grant program to support scientists who have distinguished themselves in the field of Parkinson's research. Grants under this subsection shall be utilized to enable established investigators to devote greater time and resources in laboratories to conduct research on Parkinson's and to encourage the development of a new generation of investigators, with the support and guidance of the most productive and innovative senior researchers.

"(d) PATIENT AND FAMILY REGISTRIES.—The Secretary shall establish a registry for screening and collecting patient and family data that may be useful in determining incidence and possible risk factors concerning Parkinson's.

"(e) MORRIS K. UDALL HEALTH PROFESSIONS TRAINING GRANTS.—The Secretary may award grants to schools of medicine, nursing, social work, and health services administration, and other appropriate institutions, for the provision of training and continuing education concerning health and long-term care of individuals with Parkinson's. In awarding grants under this subsection the Secretary shall ensure appropriate geographic coverage.

"(f) NATIONAL PARKINSON'S DISEASE EDUCATION PROGRAM.—The Secretary shall establish a national education program that is designed to foster a national focus on Parkinson's and the care of those with Parkinson's. Activities under such program shall include—

"(1) the bringing together of public and private organizations to develop better ways to provide care to individuals with Parkinson's, and assist the families of such individuals;

"(2) the provision of technical assistance to public and private organizations that offer support and aid to families caring for individuals with Parkinson's; and

"(3) the establishment of a clearinghouse that will disseminate the most up-to-date research, treatment, and training information to families, health professionals, and the general public concerning Parkinson's.

"(g) APPLICATION.—To be eligible to receive a grant or other assistance under this section, an individual or entity shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

"(h) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—For carrying out the activities described in this section, there are authorized to be appropriated \$75,000,000 for fiscal year 1996, \$100,000,000 for fiscal year 1997, \$200,000,000 for fiscal year 1998, and such sums as may be necessary for each of the fiscal years 1999 and 2000. Of amounts so appropriated, the Secretary shall make available—

"(A) \$10,000,000 for fiscal year 1996, \$20,000,000 for fiscal year 1997, \$30,000,000 for fiscal year 1998, and such sums as may be necessary for each of the fiscal years 1999 and 2000, for establishing centers under subsection (a)(4); and

"(B) \$2,000,000 for fiscal year 1996, \$4,000,000 for fiscal year 1997, \$6,000,000 for fiscal year 1998, and such sums as may be necessary for each of the fiscal years 1999 and 2000 for carrying out feasibility study grants under subsection (b).

"(2) LEADERSHIP AND EXCELLENCE AWARDS.—For carrying out activities under subsection (c), there are authorized to be appropriated \$10,000,000 for fiscal year 1996, \$15,000,000 for fiscal year 1997, \$20,000,000 for fiscal year 1998, and such sums as may be necessary for each of the fiscal years 1999 and 2000.

"(3) PATIENT AND FAMILY REGISTRIES.—For carrying out activities under subsection (d), there are authorized to be appropriated \$2,000,000 for fiscal years 1996, 1997, and 1998, and such sums as may be necessary for each of the fiscal years 1999 and 2000.

"(4) HEALTH PROFESSIONS TRAINING PROGRAMS.—For carrying out activities under subsection (e), there are authorized to be appropriated \$2,000,000 for fiscal year 1996, \$5,000,000 for fiscal year 1997, \$8,000,000 for fiscal year 1998, and such sums as may be necessary for each of the fiscal years 1999 and 2000.

"(5) NATIONAL PARKINSON'S DISEASE EDUCATION PROGRAM.—For carrying out activities under subsection (f), there are authorized to be appropriated \$2,000,000 for fiscal year 1996, \$3,000,000 for fiscal year 1997, \$4,000,000 for fiscal year 1998, and such sums as may be necessary for each of the fiscal years 1999 and 2000."

SECTION-BY-SECTION SUMMARY

Section 1—Short Title: Morris K. Udall Parkinson's Research, Education, and Assistance Act of 1994.

Section 2—Findings and Purpose: Parkinson's disease and related disorders affect as many as 1.5 million Americans, with costs to society of nearly \$6 billion annually. To date, the federal research effort has been grossly underfunded, providing about \$30 million a year for research on Parkinson's. It is the purpose of this Act to provide for the expansion and coordination of research concerning Parkinson's, and to improve care and assistance for its victims and family caregivers.

Section 3—Biomedical Research on Parkinson's Disease: Amends Title IV, Part E of the Public Health Service Act (42 U.S.C. 287 et seq.) with a new Subpart 4—Parkinson's Disease Research.

A. Expansion of Biomedical Research:

1. Coordination Council—The Director of the National Institutes of Health (NIH) will establish a council to coordinate Parkinson's research, composed of various institute directors, patient advocates, and representatives of other agencies.

2. National Consensus Conference—The council will convene a conference to develop a research strategy for Parkinson's and related neuro-degenerative disorders.

3. Research Agenda—Within 6 months of this bill becoming law, the Secretary of Health and Human Services will consult the council and submit a coordinated research agenda to appropriate congressional committees.

4. Research Centers—The Secretary shall provide for 10 Parkinson's Research Centers, which will conduct research, disseminate clinical information, provide training for health care personnel, develop and maintain tissue banks, and enhance community awareness concerning Parkinson's. \$10 million.

Udall Feasibility Study Grants: The Secretary may award grants to develop data to

support applications for independent research support grants or establish of centers. \$2 million.

Udall Leadership and Excellence Awards: The Secretary shall establish grants for scientists who excel in Parkinson's research. \$10 million.

Patient and Family Registries: The Secretary shall establish a registry for collecting patient and family data. \$2 million.

Udall Health Professions Training Grants: The Secretary may award grants to schools of medicine, nursing, social work, etc. to train and educate concerning health and long-term care on Parkinson's patients. \$2 million.

Natl. Parkinson's Disease Education Program: The Secretary shall establish a national education program to provide technical assistance to advocacy groups, establish a clearinghouse to disseminate information, and facilitate public understanding of Parkinson's Disease. \$2 million.

Authorization of Appropriations: The bill establishes a five-year authorization, and authorizes appropriations beginning in fiscal year 1996. Overall funding authorizations are: \$91 million for FY96, \$125 million for FY97, \$234 million for FY98, and such sums as necessary for FY99 and FY20. Monies not specified in the areas above will be spent on general research.

WILLAMETTE COLUMBIA
PARKINSONIAN SOCIETY,
Portland, OR, July 18, 1994.

Senator MARK O. HATFIELD,
Senate Hart Office Building, Washington, DC.

DEAR SENATOR HATFIELD: Our organization enthusiastically supports the Udall Parkinson's research bill. For years we have been losing ground in the funds devoted to neurological research and, in the continued hope for improvement, this bill stands out as a true and sought-for step which we feel will produce some positive results. There are many current research indications that support this conclusion.

We feel the way the bill is constituted will allow for the maximum input to gain understanding and facilitate a cure or improved therapy.

That the bill carries Morris K. Udall's name is even more uplifting to the spirit of over one million talented Parkinsonians who want to remain productive in our society.

Thank you for your support of this bill.

Sincerely yours,

L.R. GREGER,
President.

UPPER MONTGOMERY
COUNTY PARKINSON'S GROUP,
Gaithersburg, MD, July 18, 1994.

Hon. MARK O. HATFIELD,
Senate Hart Office Building, Washington, DC.

DEAR SENATOR HATFIELD: On behalf of all Parkinsonians and their families living in the Greater Washington area, I wish to thank and commend you for introducing the Morris K. Udall Parkinson's Research and Education Bill.

Research in Parkinson's disease is reaching the point where significant breakthroughs toward understanding the nature and treatment of this ailment can be made. With increased research funds being made available on the federal level, it is possible that in our lifetime this crippling illness can be eradicated.

It is very fitting that the bill is named for Congressman Udall who has fought such a valiant battle against Parkinson's. It is hoped that the admiration and respect many

members of Congress have for their esteemed colleague will insure the passage of this bill.

You can count on receiving our full support for the passage of this vital piece of legislation.

Sincerely,

DONNA J. DORROS.

OFFICE OF STEWART L. UDALL,
Santa Fe, NM, July 16, 1994.

Senator MARK HATFIELD,
U.S. Senate, Washington, DC.

DEAR MARK: A research program relating to causes and potential cures for Parkinson's disease is long overdue.

Mo's children and the whole Udall clan applaud the initiative embodied in the legislation you are introducing next week. Let us know what we can do to further your efforts on this front.

In friendship,

STEWART L. UDALL.

AXION RESEARCH FOUNDATION,
Hamden, CT, July 14, 1994.

Hon. MARK O. HATFIELD,
Senate Hart Office Building, Washington, DC.

DEAR SENATOR HATFIELD: The Axion Research Foundation, its supporters, and researchers are most grateful to you and other supporters for the introduction of the Morris K. Udall Parkinson's Research and Education Act.

Our Foundation has played an important role in carrying out the funding important breakthroughs related to Neural Transplantation as a possible treatment for Parkinson's disease. We have recently helped to develop the first practical diagnostic test for Parkinson's disease, which should dramatically facilitate studies aimed at determining its cause. Other research areas also offer great promise at the present time. But it is clear that the combined efforts of the private sector and the federal government must increase to produce clinical benefits for patients and the reduction of health care costs which would result from a cure.

The Morris K. Udall Parkinson's Research and Education Act is a great step in the right direction and will be eagerly supported by patients, their families, and neuroscience researchers.

Sincerely,

D. EUGENE REDMOND, Jr.,
President.

YALE UNIVERSITY,
New Haven, CT, July 14, 1994.

Hon. MARK O. HATFIELD,
Senate Hart Office Building, Washington, DC.

DEAR SENATOR HATFIELD: As Director of the Neural Transplantation Program for Parkinson's Disease at Yale University School of Medicine, I am writing to thank you and your other collaborators and supporters for the introduction of the Morris K. Udall Parkinson's Research and Education Act.

There is great need for additional support of Parkinson's research by the Federal government to assure that tremendous scientific advances are able to move to the stage of treating and curing patients. Not only will this relieve suffering and loss of human life and potential, it will reduce the health care delivery costs of this disease.

I hope that the final legislation will actually add dollars to the funding relevant to this disease, and that any new administrative or coordinating activities not be initiated

ated at the expense of the most important investigator-initiated basic science projects.

Sincerely,

D. EUGENE REDMOND, Jr.,
Professor and Director,
Neural Transplant Program.

THE AMERICAN PARKINSON
DISEASE ASSOCIATION, INC.,
Staten Island, NY, July 18, 1994.

Hon. MARK O. HATFIELD,
U.S. Senate, Washington, DC.

DEAR SENATOR HATFIELD: The American Parkinson Disease Association and the more than 1 million people who suffer from Parkinson's Disease commend and support the introduction of the Morris K. Udall Parkinson's Research and Education Act of 1994.

As you know, Parkinson's Disease is a long term debilitating neurological disorder which unfortunately, has no cure. Your introduction of this bill; the first legislative initiative to strengthen the federal Parkinson's research program, is a major step in the fight against Parkinson's and will address the need for scientific breakthroughs in treating Parkinson's.

While there have been recent Parkinson's research developments, limited federal investment in this area has slowed the pace of research activity and discovery. The current science in this area gives us hope that major breakthroughs in the cause and treatment of Parkinson's through expanded federal research support and a coordinated research agenda are possible. We can no longer ignore the tremendous scientific potential.

The American Parkinson Disease Association is dedicated to developing a greater understanding of Parkinson's Disease by funding research, sponsoring educational programs and medical symposiums, and raising public awareness. Until there is a cure for Parkinson's Disease, our work will continue. We look forward to working with you to achieve the breakthroughs urgently needed by Congressman Udall and the more than one million Americans who fight against this affliction.

Thank you for your leadership and sponsoring the Morris K. Udall Research and Education Act of 1994 and the Parkinson's Community.

Sincerely,

MARIO J. ESPOSITO,
President.

AMERICAN PARKINSON DISEASE AS-
SOCIATION, INFORMATION AND RE-
FERRAL CENTER,
Great Falls, MT, July 18, 1994.

Hon. MARK O. HATFIELD,
Senate Hart Office Building,
Washington, DC.

HON. MARK O. HATFIELD: Please accept our thanks from the Montana and Wyoming Parkinson support groups and the Information and Referral Center in Great Falls, Montana, for your support of the Morris K. Udall Parkinson's Research and Education Act. It is greatly needed and we commend your efforts.

There is such a great need for expanded research support from the federal government in the Parkinson's field. Super scientific potential exists in the area and a breakthrough in treatment of Parkinson's would be truly wonderful.

Thanks for your support.

Sincerely,

CAROLYN STERGIONIS,
JOANN BARTLEY,
Coordinators, Mon-
tana and Wyoming
Parkinson Informa-

tion and Referral
Center.

MICHIGAN PARKINSON FOUNDATION,
July 15, 1994.

Hon. MARK O. HATFIELD,
Senate Hart Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: On behalf of the 35,000 people in Michigan affected by Parkinson's disease and their families, we wholeheartedly endorse your introduction of the Morris K. Udall Parkinson's Research and Education Act.

We share the great hope of the Parkinson's research community that we are close to a major breakthrough in the areas of causes, treatment, and cure for Parkinson's disease.

Support for your initiative will be the key to helping to eliminate disability for Parkinson's sufferers throughout our nation. We applaud and thank you for bringing this Act before Congress.

We join hands with the Parkinson's Disease Foundation in New York and the Parkinson's Action Network in urging members of Congress to support this urgently needed measure.

Sincerely,

FREDERIC L. MARBLESTONE,
Chairman, Michigan Parkinson Foundation.

CENTRAL NEW JERSEY APDA CHAPTER,
New Brunswick, NJ, July 15, 1994.

Hon. MARK O. HATFIELD,
Senate Hart Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: As the President of the New Jersey Young Onset Parkinson Support group I want to express my gratitude, as well as those of our group, in being one of the lead members of Congress to introduce the "Morris K. Udall Parkinson's Research and Education Act".

Parkinson's is a devastating disorder where the person loses the ability of voluntary movement, but cognitive abilities are not diminished. The future for the patient is becoming a "prisoner within one's own body". Alzheimer's takes away a person's mind, and Parkinson's takes away one's body. However, there has been great strides in medical research within the last decade, but the "Cure" is still elusive. The Parkinson community is constantly being told that medical science is on the verge of finding a Cure, but such research costs money. The Alzheimer's Association has expressed the irony quite well... "We (the Alzheimer's community) have the money, but no medical breakthroughs, and you (the Parkinson community) have no money but all the promising medical research."

With the introduction of this bill, hopefully medical research will have sufficient funds necessary to find a breakthrough. I attended the Senate Hearings on February 28, 1994, when you introduced the Harkin-Hatfield Research Act, and was impressed when the portable "Iron Lung" was wheeled in from a museum. This country was able to CURE Polio through adequate funding, and hopefully we can find a CURE for Parkinson's. What a fitting accomplishment this would be in the "Decade of the Brain".

Very truly yours,

MARVIN J. WEISS.

YOUNG PARKINSON'S SUPPORT NETWORK,
San Ramon, CA, July 15, 1994.

Hon. MARK O. HATFIELD,
U.S. Senator.

Re introduction of Morris K. Udall Parkinson's Research and Education Act.

DEAR SENATOR HATFIELD: I accept your invitation to join you at the press conference at 10:00 AM on Tuesday, July 19th to announce the bill's introduction.

Parkinson's disease and related disorders are said to cost society \$6 billion annually. This monetary cost, although staggering, is minuscule when compared to the human suffering these disorders inflict on the patient and family. Research is needed to push ever closer to finding the cause and the cure for these disorders. In the mean time quality of life can be raised through education of patients, care givers and community support services.

The Morris K. Udall Parkinson's Research and Education Act allows Congress to embark on a major effort to increase the knowledge of the causes, treatments and cures for these disorders. It further sets patient, care giver, support services and community understanding as a priority in raising the quality of life of those affected by these disorders. The 1990's form the Decade of the Brain. It is only fitting that Congress move swiftly to enact this important legislative initiative for it symbolizes hope of major breakthroughs for the millions of Americans affected by these disorders.

I commend you for your leadership in this very important legislative initiative. Your leadership is much appreciated and supported by the Young Parkinson's Support Network of California.

Sincerely,

ALAN L. BONANDER,
President.

UNIVERSITY OF COLORADO
HEALTH SCIENCES CENTER,
Denver, CO, July 14, 1994.

MARK O. HATFIELD,
U.S. Senator, 711 Senate Hart Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: I want to congratulate you on your bill, the Morris K. Udall Parkinson's Research and Education Act, which you will introduce to a press conference on Tuesday, July 19th. As a physician and scientist who has devoted my career to improving the treatment of Parkinson's disease, I am delighted to see the disease receive the attention it needs. Parkinsonism affects the lives of one-half million Americans. It robs people of the ability to move. Patients suffering from the disease gradually lose the ability to walk, to speak, to eat, and to interact with other people. The increasing isolation forces people out of their jobs and makes them invalids despite the fact that their thinking is usually clear.

The spiral of deterioration does not have to take place. We are on the threshold of curing Parkinson's disease with neural transplantation. Even with the current low level of Federal research spending, Parkinson's disease stands as the neurologic disorder most likely to be cured in the next decade if adequate resources are applied to the problem. Neural transplantation with fetal tissue has already been shown to produce substantial clinical benefit in some patients. Genetically engineered alternatives to fetal cells offer promise to supply a limitless amount of tissue for brain repair. While fundamental breakthroughs will certainly occur in the next decade, the surgical cure for Parkinson's disease is already in sight.

Your bill recognizes this unusual opportunity. If we can cure Parkinson's disease, the lessons that we learn will apply to many other disorders such as Alzheimer's disease, Huntington's chorea, and epilepsy. Research in other areas such as diabetes will also be benefited.

By focussing on the neurological disease most likely to be solved in the near future, your bill will accelerate research with an exciting outcome.

Yours sincerely,

CURT R. FREED, M.D.,
Professor and Head, Division of
Clinical Pharmacology and Toxicology.

PARKINSON'S DISEASE FOUNDATION,
New York, NY, July 14, 1994.

Hon. MARK O. HATFIELD,
U.S. Senator,
711 Senate Office Building, Washington, DC.
Re Morris K. Udall Parkinson's Research and Education Act.

DEAR SENATOR HATFIELD: On behalf of my fellow directors of the Parkinson's Disease Foundation, I am writing to thank you and to support your introduction of this bill.

The authorization of funds to launch a Parkinson's research initiative, coordinating between the several institutes now conducting research in Parkinson's disease, would give added impetus to the efforts of scientists to improve their understanding of this debilitating illness. We still do not know what causes people to develop the illness, so we cannot develop a cure.

As our population ages, there is no doubt that the prevalence of Parkinson's disease will increase. It is, therefore, imperative to work together towards a breakthrough in Parkinson's disease. Only the federal government can provide sufficient financial support and leadership to sustain a coordinated approach to the search for the cause and cure.

Your efforts, and those of your Congressional supporters, are deeply appreciated by all of us who seek to improve the quality of life of those afflicted with Parkinson's and related disorders.

Most sincerely,

PAGE MORTON BLACK,
Chairman of the Board.

NATIONAL PARKINSON FOUNDATION, INC.,
Miami, FL, July 15, 1994.

Hon. MARK O. HATFIELD,
711 Senate Hart Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: On behalf of the Board of Directors of the National Parkinson Foundation, I would like to thank you for introducing the Morris K. Udall Parkinson's Research and Education Act.

It is efforts such as yours that will accelerate the day when Parkinson's disease will be only a memory.

This research support from the federal government is imperative to continue the fight against this terrible ailment.

Sincerely,

EMILIO ALONSO-MENDOZA,
National Director.

NATIONAL PARKINSON FOUNDATION, INC.,
Miami, FL, July 15, 1994.

Hon. MARK O. HATFIELD,
711 Senate Hart Office Building,
Washington, DC.

DEAR SENATOR HATFIELD: On behalf of the Board of Directors of the National Parkinson Foundation, I would like to express my sincere gratitude to you for introducing the Morris K. Udall Parkinson's Research and Education Act.

The great need for expanded research support from the federal government is crucial and will be an effective tool for researchers to attain scientific breakthroughs in the treatment and cure of Parkinson's disease.

I would also like to commend the other Congressional supporters and to let you

know that the Parkinson community and researchers are looking to you for the sustenance to help realize this tremendous scientific potential.

Sincerely,

NATHAN SLEWETT,
Chairman.

THE PARKINSON'S INSTITUTE,
Sunnyvale, CA, July 13, 1994.

Hon. MARK O. HATFIELD,
U.S. Senator,
Washington, DC.

DEAR SENATOR HATFIELD: Having had the opportunity to review a draft of the "Morris K. Udall Parkinson's Research and Education Act", it is with great pleasure that I accept your invitation to attend a press conference to introduce the Bill at 10:00 a.m. on July 19, 1994, in Washington, D.C. In my opinion, this Bill is the best thing to happen to Parkinson's disease research in a long time. It will undoubtedly be a tremendous shot in the arm for both research and patient care. At last, those of us who have been working desperately to try to find the cause and cure for this disease have reason to hope that we will be able to continue our work in the future. On behalf of myself, the Parkinson's Institute, and every patient in the United States, I would like to thank you for your concern and this remarkable step forward.

I look forward to meeting you next Tuesday.

Sincerely,

J. WILLIAM LANGSTON, M.D.,
President.

PARKINSON'S DISEASE FOUNDATION,
New York, NY, July 18, 1994.

Hon. MARK O. HATFIELD,
U.S. Senator, Senate Office Building, Washington, DC.

Re Morris K. Udall Parkinson's Research and Education Act.

DEAR SENATOR HATFIELD: On behalf of the hundreds of thousands of Americans who have Parkinson's disease, and their families, the Parkinson's Disease Foundation thanks you for your advocacy of the cause.

The Parkinson's Disease Foundation will be represented at your press conference by Mrs. Margot Zobel.

The Parkinson's Disease Foundation joins with Parkinson's Action Network, United Parkinson Foundation, National Parkinson Foundation, American Parkinson's Disease Association, Michigan Parkinson Foundation and others in supporting this initiative.

Please let us know how we may assist further as the bill progresses.

Most sincerely,

DINAH TOTTENHAM ORR,
Executive Director.

THE PARKINSON'S INSTITUTE, CLINICAL CENTER FOR PARKINSON'S DISEASE AND MOVEMENT DISORDERS,
Sunnyvale, CA, July 15, 1994.

TO WHOM IT MAY CONCERN: As a neurologist who treats a large number of patients with Parkinson's disease, I strongly support the "Morris K. Udall Parkinson's Research and Education Act". In my view, lack of funding has stalled a number of promising research projects dealing with Parkinson's disease. Enactment of this legislation would provide a much needed "shot in the arm" for this disabling disease that currently afflicts about 1.5 million people in the U.S., a number that is increasing year by year. There is now a remarkable animal model that should allow researchers to probe the underlying degenerative processes in Parkinson's and perhaps other neurodegenerative diseases, but

such research has been hampered by lack of funding. I do hope that congress will recognize the compelling arguments for this legislation. I commend the efforts of Senator Hatfield, Ms. Samuelson and all who have supported this bill.

Sincerely,

JAMES W. TETRUD, M.D.

Mr. WELLSTONE. Madam President, let me, first of all, thank Senator HATFIELD for offering this bill and just simply state for the RECORD that I am very proud to be an original cosponsor.

I would also say that Senator HATFIELD's concluding remarks are extremely important because I think the initiative that he and Senator HARKIN have undertaken to make sure there is a set-aside with a focus of funding for NIH for the research to cure for diseases is extremely important because the last thing we want to do is have one group of people struggling with an illness played off against another group. It is not a question of more of a commitment to Parkinson's and less of a commitment to Alzheimer's, less of a commitment to breast cancer or less of a commitment to diabetes.

And I do believe the initiative that Senator HATFIELD spoke of that he and Senator HARKIN have undertaken is extremely important.

Madam President, when I first came to the Senate, I drove over with Senator MCCAIN to visit Mo Udall, who had been a hero of mine. I did not have the opportunity to know him, but I knew all about him, and it was real difficult for me to visit with him at the nursing home and VA Center just to see his personal struggle and to know not only his struggle but the struggle for his family.

Madam President, in some ways all of politics is personal, and I do, as Senator HATFIELD said, speak from experience.

Both my mother and father had Parkinson's disease and my father, in particular, which I think is rare for both parents. But my father was a writer, and at the very end of his life I remember seeing him in the study trying to type with his hand just shaking like this. He could no longer type. He could no longer walk. And at the very end of his life, Madam President, he could no longer speak, at which point he whispered to me in a barely audible way "I intensely want to die."

It reached the point where from his point of view there was no reason to continue to live. It had become so debilitating. There are 1.5 million families who struggle with this, which I believe was the figure Senator HATFIELD used.

So it is not just a question of Representative Udall or my father or my mother. But I can tell you this: This initiative is extremely important, and I want to kind of summarize the hours and hours that I could take to speak on this just with one story. I have a friend, I say to Senator HATFIELD. His

name is Michel Minot, who was a college teacher at Carlton College where I taught, who found out—at least in the case of my father, at about 60 the onset of Parkinson's—when he was about 35. Then when he was about 40 he could no longer teach. He had undertaken these walks across the country to raise funding for Parkinson's research. His decline is very self-evident, and it really had become a difficult, difficult struggle.

Toward the end of my dad's life, Sheila and I and our children took my mother and father to McDonald's in Northfield. He liked McDonald's because of all the small children in McDonald's, where it was always colorful and there were lots of people to look at.

And this was a particularly bad day for my father, which is to say the shake was very pronounced and he could barely walk and he had kind of a blank look on his face which comes with Parkinson's. I saw Michel Minot, my friend, at the front of the restaurant. And after my mom and dad finished eating, we always went out the front door. My father never knew this. But I took him out the back door because I did not want Michel Minot, age 38, to see my father because I felt that Michel would see his future.

My point, Madam President, is this: yesterday, I spoke with Joan Samuelson, a very courageous person who is struggling with Parkinson's, and men and women struggling with Parkinson's in the Parkinson's Action Network. Many of them are young people or middle-age people. I do not want them to believe that their future would be what my parents went through, because it does not have to be that way.

For just a reasonable investment of resources, we could find a cure for this disease. Sometimes it is more than worth it to spend the money to find cures for these diseases. Yes, it saves our society money in the long run or even in the short run, but most important of all is, how do you put a value on a human life?

So, Madam President, I think this piece of legislation is extremely important. I hope it will put a focus on Parkinson's disease, because there really has not been a focus on Parkinson's in the way it should be by the NIH. There really has not been an investment in resources. We have all sorts of promising results that tell us we could find a cure.

So I thank my colleague from Oregon. I think this is extremely important. I think it honors Mo Udall and his family, but most important of all it is an extremely important health initiative that we must take.

I, Madam President, would like to have my remarks for the RECORD be for my mother and father.

Mr. HATFIELD. Madam President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATFIELD. Madam President, I thank the Senator from Minnesota [Mr. WELLSTONE]. I am always moved by the fact that Senator WELLSTONE combines great intellect and great passion for causes and for issues that he represents. I am grateful that he has joined in this effort on behalf of Mo Udall and Parkinson's disease.

I also want to share, too, that I think each one of us could cite a relationship or a friend who is giving us a special dimension of understanding of this debilitating disease.

I think of Travis Cross, a young man at the time I first became acquainted with him in Salem, OR, and who later became a very close friend and my press secretary for 8 years when I was Governor and 2 years when I was secretary of state of Oregon who now has Parkinson's disease. Seeing his problems as they increased, seeing the deterioration, really illustrated the very, very dramatic change in a person's life that this disease causes, bringing great concern and great sorrow for his friends and family. But as master of the circumstance, Travis seemed to have an even greater spirit of determination, as I am sure with your parents, Senator WELLSTONE. And having known Senator SIMPSON's father for many years, I saw it in Senator SIMPSON's father as well.

So this effort will allow us to expedite the day when we can acclaim the cure and all have the joy of knowing there is help on the way.

Mr. SIMPSON. Mr. President, during this interim—and I anticipate the managers of the bill just indicating to me when they are ready to proceed at any appropriate time—but I wanted to make a few remarks about a bill that was introduced this morning by my good colleague, Senator MARK HATFIELD. Senator WELLSTONE also spoke. These two fine colleagues and I have joined together with regard to sponsorship of the introduction of the Morris Udall Parkinson's Research, Education and Assistance Act on this day.

I want to join my colleague from Oregon, my fine friend, long-time friend, who knew my father who suffered from Parkinson's and lived with it, as many of them do, for so many years; and with Senator WELLSTONE. I understand both his mother and his father have been victims of Parkinson's. There can be no more extraordinary knowledge of the disease, unless of course one is afflicted with it, I am certain, than to have a loved one who has suffered from it. It is a difficult and robbing disease. Everyone I have ever heard speak of it describes it as a disease that robs you. That would be true.

But the purpose of the bill is to establish a grant program to support scientists who have distinguished themselves in the field of Parkinson's. It establishes research centers. I believe my

colleagues, Senator HATFIELD and Senator WELLSTONE have well described the bill. I will not duplicate that. But, obviously, Federal funding for research on Parkinson's has been historically very low in comparison to other devastating and debilitating diseases. This disparity exists because Parkinson's, in the community, is often largely invisible. It is not invisible within the community, it is in the Washington community. Now we remember that many of these unfortunate people afflicted with this disease are too disabled to function publicly.

I know my dear father used to say, "The toughest part of this disease is that my mind is just as sharp as it was when I was 50. But my body and my face and the mask-like expression and the tremor leave you to feel almost trapped." And the worst part of it, of course, is that your friends who have known you for 20 or 30 or 40 years—for a lifetime—suddenly feel embarrassed. They suddenly steer around because they see a person they did not know before, with one of the most grotesque parts of the ailment, and that is the mask-like expression and the tremor. People are working with support groups. I commend those to all people suffering from Parkinson's. It is so important.

We had a very remarkable press conference this morning: Senator WELLSTONE, Senator HATFIELD, Congressman HENRY WAXMAN, and Congressman FRED UPTON. The five of us are going to work hard on this one and we are going to get the job done.

I can say with regard to my own father, he had to retire from the U.S. Senate at the age of 69 because of his long, exhausting struggle with Parkinson's. He went on to live some very productive years, even with Parkinson's claiming him, until his death last year at 95.

So we have much time to make up. The legislation has been introduced in honor of my old dear friend, former Congressman Morris "MO" Udall who had courageously battled Parkinson's for many years, since 1980. As many of my colleagues are aware, Mo's career came to a sharp halt in early 1991 after a combination of Parkinson's disease and injuries prevented him from completing his term in office.

Since then, the Udall family—and they are a wonderful lot; Norma, his wife; Ann, brothers, uncles, it is a marvelous family—they joined with the patient and research community in vigorously advocating for more Federal support to meet the growing research in Parkinson's.

So it has been a tribute to Mo Udall, and Mo's family hopes and prays their efforts will remind all of us of the terrible cost of Parkinson's when it insidiously steals an individual's ability to continue to make contributions to society.

The family also wants to remind all of us in Congress, and beyond this beltway, of his remarkable record on environmental and social causes, for Mo Udall was a success as a legislator because of unparalleled ability to use grace, rich humor and wonderful laughter to get his point across to others.

He often used humor to disarm an opponent and lighten up some very tense situations. I know, because we served on conference committees. Many times we were together and shared so much, times too numerous to mention here. But a little humor sometimes goes right to the target, and that is why Mo was such a wonderful part of our lives and our legislative endeavors with that bright, thoughtful, inquisitive mind and always that great leveling agent of humor.

He often said, "The best political humor, however sharp or pointed, has a little love behind it. It is the spirit of the humor that counts. Over the years, it has served me when nothing else could."

I remember one great phrase, indeed, of Mo Udall's when he ran for the Presidency, and it was a close call. Look at your history books and you will find if there had been another 200,000 votes in the right spot, Mo Udall would have been the candidate for President, instead of Jimmy Carter, for the Democratic Party.

But somebody asked him later, "Well, do you think you will run again for President?" He said, "Well, the only way to get it out of your system is with embalming fluid." And that was Mo, and then he would laugh.

I will just share with you my own father. He kept his sense of humor throughout this devastating disease. He had a great one, because when he ran for the U.S. Senate, he was afflicted with it but he tried to hide it, and he did pretty well. But the left hand he called his phantom hand. When he would speak, he would put it in his pocket. Of course, you could see it flapping in there, too. He would get up to the podium, and it would begin to move, as if with its own engine. He would say, "Now, wait, I see some of you looking at my left hand and that tremor there, shaking." He said, "Now, don't feel sorry for me. I feel sorry enough for myself. That's my drinking hand, I'm spilling more than I drink." And that was Pop.

That is what you find in many Parkinson's victims: A marvelous sense of humor, a marvelous sense of self.

So I hope that this legislation will be considered. It is in the best traditions of the Senate, and we name it in honor of our friend. We miss our friend. We miss our friend Mo Udall in these Halls of Congress. He brought a great amount of wisdom and levity to this place.

I believe that this legislation is a most wonderful way to honor him and

his life and his family and his valuable contributions to Congress and to society as a whole.

I hope that my colleagues will assist us in the course of this legislation.

By Mr. FORD:

S. 2295. A bill to authorize extensions of time limitations in a FERC-issued license; to the Committee on Energy and Natural Resources.

CANNELTON HYDROPOWER PROJECT ACT

Mr. FORD. Mr. President, I am today introducing a bill to extend the time limitation on an already issued FERC license for a hydroelectric project in Kentucky.

Upon completion of environmental, engineering, and other project review, the Federal Energy Regulatory Commission [FERC] issued a license to W.V. Hydro, Inc. for the Cannelton Hydropower project, FERC project No. 10228—Cannelton project. The Cannelton project will be located at the U.S. Army Corps of Engineers [Corps] Lock and Dam on the Ohio River in Hancock County, KY. The 80 megawatt Cannelton project would generate an estimated 358 gigawatt-hours of electricity per year using the untapped energy potential of the existing corps dam.

Construction and operation of the Cannelton project would create new jobs for local residents and the licensee would pay substantial property taxes. During construction, W.V. Hydro, Inc. also plans to spend a substantial amount in wages and salaries, providing further employment and business income to local communities.

Section 13 of the Federal Power Act [FPA], (16 U.S.C. §806 (1988)), prescribes the time limits for commencement of construction of a hydropower project once FERC has issued a license. The licensee must begin construction not more than 2 years from the date the license is issued, unless FERC extends the initial 2-year deadline. Section 13, however, permits FERC only one extension for no "longer than 2 additional years * * * when not incompatible with the public interests." Accordingly, FERC is without authority to extend the commencement of construction deadline beyond a maximum of 4 years from the date it issues the license. A licensee that fails to begin construction within the prescribed time period faces termination of its license.

FERC has extended the Cannelton projects' construction commencement deadline under the FPA for the one permissible 2-year period, setting the current deadline of June 20, 1995. If enacted, the proposed legislation would grant FERC authority to extend the commencement of construction deadline for up to 6 additional years.

Congress has authorized legislative extensions for licensees in similar situations. For example, Congress passed

Public Law 101-155 (S. 750) granting FERC authority to extend the commencement of construction deadline for the White River projects in the State of Arkansas, and Public Law 102-486 (S. 776) granting FERC authority to extend the commencement of construction deadlines for the Starved Rock Lock and Dam project in the State of Illinois, the Black Creek project located in the State of Washington, the Smithland Local and Dam Hydropower project also located in the Commonwealth of Kentucky, and the Arrowrock Dam project located in the State of Idaho.

As the June 20, 1995 deadline approaches, W.V. Hydro, Inc. is actively pursuing several avenues for reaching agreements with potential power purchasers. W.V. Hydro, Inc. has initiated power purchase negotiations with several electric utilities and industrial power users. In addition, W.V. Hydro, Inc. has contracted with a construction consortium to assess the feasibility of reducing project costs through engineering design modifications. To maintain the development opportunity of this beneficial project, W.V. Hydro, Inc. seeks legislation that would grant FERC the authority to extend the commencement of construction deadline for up to three additional 2-year periods.

If Congress enacts the legislation, W.V. Hydro, Inc. will petition FERC for an extension of commencement of construction deadline, submitting all appropriate information to enable FERC to determine whether granting the extension would be consistent with the public interest. If Congress fails to enact the legislation, the hydroelectric potential of the Corps Lock and Dam will remain undeveloped.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2295

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That notwithstanding the time limitations of section 13 of the Federal Power Act, the Federal Energy Regulatory Commission, upon the request of the licensee for FERC project numbered 10228 (and after reasonable notice), is authorized, in accordance with the good faith, due diligence and public interest requirements of such section 13 and the Commission's procedures under such section, to extend the time required for commencement of construction for the project for up to a maximum of three consecutive two-year periods. This section shall take effect for the project upon the expiration of the extension (issued by the Commission under such section 13) of the period required for commencement of construction of such project.

By Mr. METZENBAUM (for himself, Mr. THURMOND, Mr. KENNEDY, Mr. BIDEN, Mr. LEAHY,

Mr. SIMON, Mr. SIMPSON, and Mr. GRASSLEY):

S. 2297. A bill to facilitate obtaining foreign-located antitrust evidence by authorizing the Attorney General of the United States and the Federal Trade Commission to provide, in accordance with antitrust mutual assistance agreements, antitrust evidence to foreign antitrust authorities on a reciprocal basis; and for other purposes; to the Committee on the Judiciary.

INTERNATIONAL ANTITRUST ENFORCEMENT ASSISTANCE ACT

Mr. METZENBAUM. Mr. President, in today's global economy, American consumers and businesses are in much greater danger of becoming the victims of foreign conspiracies, collusion, and cartels. The United States has a strong tradition of tough antitrust enforcement. However, policing anticompetitive conduct in the United States is no longer enough to protect our consumers from foreign conspiracies.

The International Antitrust Enforcement Assistance Act of 1994, which I am introducing today with my colleague STROM THURMOND, will give the Department of Justice and the Federal Trade Commission [FTC] greater power to protect American consumers. It does so by empowering DOJ and FTC to enter into cooperative agreements with their foreign counterparts to obtain evidence of antitrust violations that can only be found abroad. I am particularly gratified that so many of my distinguished colleagues are cosponsoring this bill, including Senators JOSEPH BIDEN, EDWARD KENNEDY, PATRICK LEAHY, PAUL SIMON, ALAN SIMPSON, and CHARLES GRASSLEY.

The fact is foreign monopolies and cartels can undermine American free markets and raise prices for our consumers. Within the past 2 months, DOJ has, with the assistance and cooperation of the Canadian Government, prosecuted two such international cartels. One of those cartels fixed the prices of plastic utensils and cups and the other, which DOJ announced last week, fixed the price of paper used in fax machines. DOJ collected more than \$6 million in fines from the fax cartel, which included several Japanese companies. Both these prosecutions are splendid examples of how American consumers can benefit from closer international cooperation among antitrust authorities.

To combat the growing international threat to U.S. consumers, our antitrust authorities must have the cooperation of more of their foreign counterparts to investigate and prosecute anticompetitive schemes with a global reach. The International Antitrust Enforcement Assistance Act would authorize this kind of cooperation. I commend Attorney General Janet Reno, and the Chief of the Antitrust Division, Anne Bingaman, for developing this important initiative to strengthen international antitrust enforcement.

The bill will give the Attorney General and the FTC the authority to negotiate mutual legal assistance agreements with foreign antitrust agencies. The Securities and Exchange Commission, which has similar authority, has negotiated agreements with 18 of its foreign counterparts. It is essential that we give our antitrust agencies the same authority.

International antitrust enforcement assistance agreements will give U.S. consumers greater protection against companies that boycott their American rivals, fix the prices of consumer and commercial goods or otherwise abuse their monopoly power and then hide the evidence of their illegal activities behind foreign laws and loopholes. Under these new international agreements, our own antitrust authorities will have greater access to the hard evidence they need to investigate and prosecute foreign anticompetitive schemes. Likewise, foreign governments that agree to cooperate with the United States will be able to call upon our antitrust agencies to assist them with their investigations.

Greater cooperation among the world's antitrust enforcement authorities will also protect American businesses from foreign predators. When these agreements are in effect, foreign companies won't be able to use time-consuming legal maneuvers to shield themselves from our fair competition laws. You can bet that foreign cartels and monopolies facing a credible threat of prosecution from U.S. antitrust authorities will think twice before exploiting America's free markets and attacking our domestic companies.

The bill also includes necessary and proper safeguards to protect the confidentiality of the information that we share with foreign antitrust authorities. Both the Department of Justice and FTC will have to determine, with a high degree of confidence, that sensitive and proprietary information from U.S. companies won't fall into the wrong hands. I am confident that both agencies will meet their obligations in this regard.

I urge all of my colleagues to support this bold initiative to extend the reach of our fair competition laws and to protect American consumers and businesses from unfair international competition.

Mr. THURMOND. Mr. President, I rise today as an original cosponsor of the International Antitrust Enforcement Assistance Act, which I have joined with Senator METZENBAUM and others. This bill authorizes closer cooperation and sharing of information between United States and foreign antitrust authorities in order to more effectively enforce antitrust laws for the benefit of American consumers and businesses. This is a worthy objective which deserves broad bipartisan support.

It is indisputable that as business dealings have become more international in scope, antitrust violations more often involve transactions and evidence which are located in more than one country. Therefore, it is appropriate and necessary for antitrust authorities to be given better tools for obtaining evidence abroad. This bill achieves that goal by authorizing investigations to be conducted and information shared with foreign authorities in appropriate circumstances. However, this legislation does not change the jurisdictional reach or substance of either the U.S. antitrust laws or any foreign law.

Last month, Attorney General Janet Reno and Assistant Attorney General Anne Bingaman held a press conference to announce the preparation of this legislation. I stated at that time that the concept was laudable, but that care must be taken to protect against any misuse of information shared with foreign governments or other unintended consequences which could be detrimental to American interests.

In particular, I expressed concern that American companies must be protected from any possibility that this legislation could allow foreign competitors to gain competitive information or instigate unjust harassment, that there be sufficient reciprocity in the investigations conducted and information shared so that the benefits and responsibilities are evenly shared, and that our national defense must in no way be threatened through the sharing of information.

Mr. President, I am pleased to state that these concerns have been addressed in the legislation we are introducing today. First, a number of provisions have been added to the original proposal to enhance the confidentiality of any information disclosed, including a determination in each case that the foreign laws are sufficient to protect confidentiality and will be applied. Second, the bill ensures that there will be true reciprocity between the United States and foreign antitrust authorities so that the results are not one-sided. Finally, express provisions have been included to ensure that classified information relating to national defense and foreign policy will not be disclosed to foreign agencies.

I look forward to prompt hearings and action on this legislation.

By Mr. LEAHY (for himself and Mr. LUGAR):

S. 2298. A bill to amend the Farm Credit Act of 1971 to enhance the ability of the banks for cooperatives to finance agriculture exports, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

FARM CREDIT SYSTEM AGRICULTURAL EXPORT AND RISK MANAGEMENT ACT

Mr. LEAHY. Mr. President, I am pleased to join today with the distin-

guished ranking member on the Agriculture Committee, Senator LUGAR, to introduce the Farm Credit System Agricultural Export and Risk Management Act.

The act does three things that I believe the American public can support strongly. First, it expands the capacity of our Nation's financial system to provide credit for the export of U.S. agricultural products—a economic growth area of paramount importance for Rural America that we must stimulate in every reasonable, affordable way we possibly can.

This is accomplished in the bill through modest expansion of the export lending authority of the National Bank for Cooperatives [CoBank], which has played a key role in financing the export of American agricultural products since 1980.

Second, the bill authorizes member institutions of the Farm Credit System—a Government Sponsored Enterprise [GSE]—and the Nation's private banks to participate together in multilender transactions for the purpose of improving loan management capability and reducing the concentration of risk.

Third, this bill moves in these two important directions without a subsidy from the Federal Treasury. Its provisions—in both the export financing and risk management areas—are modest and conservative. It will enhance credit opportunities for important rural ventures by carefully expanding the already-existing authority of the CoBank and by providing incentives for the Farm Credit System and private banks to cooperate and share risks.

The CoBank's present authority allows it to finance only exports produced by American agricultural cooperatives. This limits its ability to serve all of American agriculture. A key provision of the legislation we are introducing today will broaden CoBank's ability to finance the export of any U.S. agricultural product, regardless of the source.

CoBank, which has an excellent track record of providing significant, consistent financing for U.S. agricultural exports, actively markets our products and works with commodity and governmental organizations to develop new export opportunities.

In this rapidly changing era of NAFTA and GATT, it makes good sense to enhance this authority. CoBank—and experienced, technically proficient export lender that concentrates exclusively on agricultural products—can help our farm sector increase its exports dramatically without having to turn to the small group of foreign-owned banks that now dominate this relatively low profit, high risk business.

Further, the bill does something that I believe both the Farm Credit System and the private banking industry have been seeking for some time and can

mutually benefit from. That is, it creates the opportunity for Farm Credit institutions and private banks to manage and reduce their concentration of loan loss risk in terms of geography, industry and account exposure by expanding the System's ability to purchase and sell loan participations from commercial banks and other non-System lenders.

This modest bill is good for both America's banks and for our Farm Credit System, which has been so diligent in repaying the Federal obligations it incurred under the 1987 Agricultural Credit Act and in streamlining and improving its operations.

The bill is also good for the farms, ranches and agriculture-related businesses of Rural America, which will benefit from enhanced credit opportunities.

Most important of all, the bill is good for American taxpayers and consumers, who will appreciate and support its reliance on non-Federal resources—and who have a very real stake in the health of American agriculture.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2298

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Farm Credit System Agricultural Export and Risk Management Act".

SEC. 2. REFERENCES TO FARM CREDIT ACT OF 1971.

Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Farm Credit Act of 1971 (12 U.S.C. 2001 et seq.), except to the extent otherwise specifically provided.

SEC. 3. PARTICIPATION DEFINED.

Section 3.1(11)(B) (12 U.S.C. 2122(11)(B)) is amended by adding at the end the following new clause:

"(iv) As used in this subparagraph, the term 'participate' or 'participation' refers to multilender transactions, including syndications, assignments, loan participations, subparticipations, or other forms of the purchase, sale, or transfer of interests in loans, other extensions of credit, or other technical and financial assistance."

SEC. 4. AGRICULTURAL EXPORT FINANCING.

Section 3.7(b) (12 U.S.C. 2128(b)) is amended—

- (1) in paragraph (1)—
 - (A) by striking "assistance to (A)" and inserting "assistance to";
 - (B) by striking "the export or" and inserting "the"; and
 - (C) by striking "and (B)" and all that follows through "subparagraph (A): *Provided, That a*" and inserting "if the"; and
 - (2) by striking paragraph (2) and inserting the following new paragraph:
 - "(2)(A) A bank for cooperatives is authorized to make or participate in loans and

commitments to, and to extend other technical and financial assistance to—

"(i) any domestic or foreign party for the export, including (where applicable) the cost of freight, of agricultural commodities or products thereof, farm supplies, or aquatic products from the United States under policies and procedures established by the bank for cooperatives to ensure that the commodities, products, or supplies are originally sourced, where reasonably available, from 1 or more eligible cooperative associations described in section 3.8(a) on a priority basis; and

"(ii) except as provided in subparagraph (B), any domestic or foreign party in which an eligible cooperative association described in section 3.8(a) (including, for the purpose of facilitating its domestic business operations only, a cooperative or other entity described in section 3.8(b)(1)(A)) has an ownership interest, for the purpose of facilitating the domestic or foreign business operations of the association, except that if the ownership interest by an eligible cooperative association, or associations, is less than 50-percent, the financing shall be limited to the percentage held in the party by the association or associations.

"(B) A bank for cooperatives shall not use the authority provided in subparagraph (A)(i) to provide financial assistance to a party for the purpose of financing the relocation of a plant or facility from the United States to another country."

SEC. 5. CONFORMING AMENDMENT.

Section 3.8(b)(1) (12 U.S.C. 2129(b)(1)) is amended—

- (1) by striking subparagraph (B);
- (2) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively; and
- (3) by aligning the margin of subparagraph (D) (as so redesignated) so as to align with the margin of subparagraph (C) (as so redesignated).

SEC. 6. LOAN PARTICIPATION AUTHORITY FOR FARM CREDIT BANKS AND DIRECT LENDER ASSOCIATIONS.

(a) IN GENERAL.—Title IV (12 U.S.C. 2151 et seq.) is amended by inserting after section 4.18 (12 U.S.C. 2206) the following new section:

"SEC. 4.18A. AUTHORITY OF FARM CREDIT BANKS AND DIRECT LENDER ASSOCIATIONS TO PARTICIPATE IN LOANS TO SIMILAR ENTITIES FOR RISK MANAGEMENT PURPOSES.

"(a) DEFINITIONS.—As used in this section: "(1) PARTICIPATE AND PARTICIPATION.—The terms 'participate' and 'participation' have the meaning provided in section 3.1(1)(B)(iv).

"(2) SIMILAR ENTITY.—The term 'similar entity' means a person that—

"(A) is not eligible for a loan from the Farm Credit Bank or association; and

"(B) has operations that are functionally similar to a person that is eligible for a loan from the Farm Credit Bank or association in that the person derives majority of the income of the person from, or has a majority of the assets of the person invested in, the conduct of activities that are functionally similar to the activities that are conducted by an eligible person.

"(b) LOAN PARTICIPATION AUTHORITY.—Notwithstanding any other provision of this Act, and Farm Credit Bank or direct lender association chartered under this Act is authorized to participate in any loan of a type otherwise authorized under title I or II made to a similar entity by any person in the business of extending credit, except that a Farm

Credit Bank or direct lender association may not participate in a loan under this section if—

"(1) the participation would cause the total amount of all participations by the Farm Credit Bank or association under this section involving a single credit risk to exceed 10 percent (or the applicable higher lending limit authorized under regulations issued by the Farm Credit Administration if the stockholders of the respective Farm Credit Bank or association so approve) of the total capital of the Farm Credit Bank or association;

"(2) the participation by the Farm Credit Bank or association would equal or exceed 50 percent of the principal of the loan or, when taken together with participations in the loan by other Farm Credit System institutions, would cause the cumulative amount of the participations by all Farm Credit System institutions in the loan to equal or exceed 50 percent of the principal of the loan;

"(3) the participation would cause the cumulative amount of participations that the Farm Credit Bank or association has outstanding under this section to exceed 15 percent of the total assets of the Farm Credit Bank or association; or

"(4) the loan is of the type authorized under section 1.11(b) or 2.4(a)(2).

"(c) PRIOR APPROVAL REQUIRED.—

"(1) IN GENERAL.—With respect to a similar entity that is eligible to borrow from a bank for cooperatives under the title III, the authority of a Farm Credit Bank or association to participate in a loan to the entity under this section shall be subject to the prior approval of the bank for cooperatives having, at the time the loan is made, the greatest loan volume in the State in which the headquarters office of the similar entity is located.

"(2) TERMS AND CONDITIONS.—Approval under paragraph (1) may be granted on an annual basis and under such terms and conditions as may be agreed on between the Farm Credit Bank or association, as the case may be, and the bank for cooperatives granting the approval.

"(3) APPROVAL BY SUPERVISING FARM CREDIT BANK.—An association may not participate in a loan to a similar entity under this section without the approval of the supervising Farm Credit Bank of the association."

(b) CONFORMING AMENDMENTS.—Section 3.1(1)(B)(i)(I)(bb) (12 U.S.C. 2122(1)(B)(i)(I)(bb)) is amended—

(1) by striking "the other banks for cooperatives under this subparagraph" and inserting "other Farm Credit System institutions"; and

(2) by striking "all banks for cooperatives" and inserting "all Farm Credit System institutions."

Mr. LUGAR. Mr. President, today Senator LEAHY and I are introducing the Farm Credit System Agricultural Export and Risk Management Act. This legislation will encourage U.S. agricultural exports, remove burdensome regulatory requirements from the banks for cooperatives, and clarify legal authorities for Farm Credit System institutions to manage risk through loan participations and similar transactions that will benefit not only the System but also commercial lenders.

The Farm Credit System's borrower-owned institutions have made a phenomenal recovery from their near-col-

lapse in the mid-1980's. It is appropriate that Congress continue to encourage the System to manage its risks prudently, structure its operations in a manner consistent with the changing nature of the U.S. financial system, and facilitate its borrowers' participation in the international marketplace. I believe this legislation will help accomplish all these goals.

The key provision of this bill affects the ability of the banks for cooperatives to finance agricultural export transactions. These banks—primarily the National Bank for Cooperatives, or CoBank—have had export financing authority since 1980. CoBank finances about \$2 billion of U.S. farm exports per year, nearly all of which is backed by the Agriculture Department's GSM-102 credit guarantee program.

CoBank is, in fact, the dominant player among lending institutions participating in the GSM-102 program. Relatively few U.S. commercial banks have financed GSM-102 transactions.

The law presently requires that, in order to finance an export sale, CoBank must ensure that the exported commodities originated with a cooperative. This does not mean that a co-op must actually be the exporter; more typically, a commercial grain company would export grain that was sourced from co-op elevators.

Since CoBank is owned by its cooperative borrowers, the institution has an obvious desire to source the exports it finances from co-ops whenever possible. In some cases, however, it is difficult or impossible for the exporter to certify co-op origin to CoBank. In such circumstances, CoBank simply loses business, often to foreign banks.

Two years ago, Congress absolved CoBank of the co-op sourcing requirement with respect to exports to the former Soviet Union, reflecting the high priority of maintaining trade ties to those republics unencumbered by unnecessary redtape. The legislation I introduced today will, in essence, extend this authority to all export destinations, while requiring that priority be given to commodities originating with cooperatives.

As I have already indicated, I believe that by allowing some flexibility to CoBank, we will achieve a number of desirable goals. We will reduce a regulatory burden that sometimes results in export financing business being forfeited to offshore institutions. By virtue of CoBank's dominant role in GSM-102, we will enhance that program's efficiency and its ability to facilitate U.S. export sales. We will encourage an expansion of U.S. agricultural export sales at a time when exports of many commodities are in decline. And by reducing the administrative cost of some transactions, we will enhance efficient operations in a major Farm Credit System institution, further shoring up the safety and soundness of the entire System.

The bill has several other provisions, all of which enhance the Farm Credit System's ability to keep up with changing practices in the U.S. financial system. Specifically, the bill will:

Authorize the banks for cooperatives to finance international joint ventures and partnerships in which U.S. co-ops hold an ownership interest, while prohibiting any such financing that would lead to any U.S. facilities being moved overseas;

Authorize all Farm Credit System institutions to use risk management authorities presently available to the banks for cooperatives, by participating in loans to entities similar to those eligible to borrow from the System, but not holding more than a 50-percent interest in such loans;

Clarify the System's current authority to participate in loans originated by other financial institutions by ensuring that this authority will keep pace with evolving banking industry practice, permitting the System to take part in syndications and similar transactions.

In each case, these changes will enhance the System's ability to reduce its concentration of risk in terms of geography, industry, and account exposure. System institutions both purchase and sell participations from and to other lenders, a practice that is important particularly in the case of larger loans. For example, CoBank recently administered a \$650 million syndication for Farmland Industries, Inc., a major farmer-owned marketing and supply cooperative. Seven commercial banks joined CoBank to provide funding for the syndication, illustrating the growing number of cases where banks and System institutions are working together harmoniously to meet the credit needs of rural America.

It is important to note that the legislation will not give System institutions an unfair advantage over the commercial banking industry. For example, in the case of loans to agricultural entities that are similar to System borrowers, the System would be prohibited from providing 50 percent or more of the funds for such loans, ensuring that the System's use of loan participations will be limited to those cases where commercial lenders desire to involve the System, and that the System still would not be able to originate loans of this type.

Mr. President, I am pleased to join Senator LEAHY in introducing this important bill. Very similar legislation has been introduced in the House of Representatives as H.R. 4379 by Representatives DE LA GARZA, ROBERTS, and others. I invite my colleagues to review the bill and look forward to working with them and with financial and agricultural industries to ensure that the legislation can be of broad benefit to all interested parties, and that it will enjoy widespread and enthusiastic support.

ADDITIONAL COSPONSORS

S. 1208

At the request of Mr. WOFFORD, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 1208, a bill to authorize the minting of coins to commemorate the historic buildings in which the Constitution of the United States was written.

S. 1345

At the request of Mr. BINGAMAN, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 1345, a bill to provide land-grant status for tribally controlled community colleges, tribally controlled post-secondary vocational institutions, the Institute of American Indian and Alaska Native Culture and Arts Development, Southwest Indian Polytechnic Institute, and Haskell Indian Junior College, and for other purposes.

S. 2119

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 2119, a bill to prohibit the imposition of additional fees for attendance by United States citizens at the United States Merchant Marine Academy.

S. 2120

At the request of Mr. INOUE, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of S. 2120, a bill to amend and extend the authorization of appropriations for public broadcasting, and for other purposes.

S. 2183

At the request of Mrs. HUTCHISON, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 2183, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the signing of the World War II peace accords on September 2, 1945.

S. 2215

At the request of Mr. LIEBERMAN, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 2215, a bill to establish rules governing product liability actions against raw materials and bulk component suppliers to medical device manufacturers, and for other purposes.

S. 2247

At the request of Mr. GORTON, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 2247, a bill to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons, and for other purposes.

S. 2286

At the request of Mr. LUGAR, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of S. 2286, a bill to amend title 23, United States Code, to provide for the use of certain highway funds for improvements to railway-highway crossings.

SENATE JOINT RESOLUTION 182

At the request of Mr. JOHNSTON, the names of the Senator from Florida [Mr. GRAHAM] and the Senator from Illinois [Mr. SIMON] were added as cosponsors of Senate Joint Resolution 182, a joint resolution to designate the year 1995 as "Jazz Centennial Year."

SENATE JOINT RESOLUTION 206

At the request of Mr. WOFFORD, the names of the Senator from New York [Mr. D'AMATO], the Senator from New Jersey [Mr. LAUTENBERG], and the Senator from Montana [Mr. BURNS] were added as cosponsors of Senate Joint Resolution 206, a joint resolution designating September 17, 1994, as "Constitution Day."

AMENDMENT NO. 2303

At the request of Mr. COVERDELL his name was added as a cosponsor of Amendment No. 2303 proposed to H.R. 4554, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1995, and for other purposes.

SENATE CONCURRENT RESOLUTION 72—RELATIVE TO THE CONVENTION ON THE LAW OF THE SEA

Mr. GREGG submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 72

Whereas many of the minerals underlying the seabed have strategic and military importance to the United States;

Whereas the Convention on the Law of the Sea will come into force on November 16, 1994, having been ratified by 61 countries as of the date of adoption of this resolution, none of which is industrialized;

Whereas a new seabed mining agreement amending the Convention on the Law of the Sea will be open for signature on July 29, 1994, and the President intends to sign the agreement;

Whereas the Convention on the Law of the Sea, even as amended, continues to discriminate against the United States and the industrialized allies of the United States, is antithetical to business interests, and will discourage United States investment in seabed mining;

Whereas the signature by the President of the new seabed mining agreement will bind the United States provisionally to the seabed mining agreement and portions of the Convention on the Law of the Sea for a period of not to exceed 4 years, even if the Senate has not given advice and consent to the ratification;

Whereas the provisional application of the seabed mining agreement and portions of the Convention of the Law of the Sea will force the United States to finance 25 percent of the operations of the large bureaucracy created by the Convention on the Law of the Sea, including the international seabed authority, which will eventually support a direct competitor to mining interests of the United States and private mining interests, and distribute revenues from seabed mining

to developing countries and groups of national liberation;

Whereas provisional application of the Convention on the Law of the Sea will coerce seabed miners of the United States into participating in the regime by filing mining claims and paying exploration and application fees in an amount equal to \$250,000 to the international seabed authority;

Whereas the plain language of section 5(a) of the State Department Basic Authorities Act of 1956 prohibits the participation by the United States in any international organization or any international activity of such organization for which provision has not been made by any treaty or statute for longer than 1 year without approval of Congress; and

Whereas the possible ultimate failure by the United States to ratify the Convention on the Law of the Sea will cause chaos for the United States seabed mining industry: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the President should refrain from signing, on behalf of the United States, the seabed mining agreement that will be open for signature on July 29, 1994, relating to the Convention on the Law of the Sea.

SEC. 2. As used in this resolution, the Term "Convention on the Law of the Sea" means the United Nations Convention on the Law of the Sea (open for signature at Montego Bay on December 10, 1982).

SEC. 3. The Secretary shall transmit a copy of this concurrent resolution to the President.

• Mr. GREGG. Mr. President, today, Congressman JACK FIELDS and I are submitting concurrent resolutions expressing the sense of the Congress that the United States should not sign the United Nations Law of the Sea Treaty.

On June 30, 1994, Secretary of State Warren Christopher announced before the Senate Foreign Relations Committee, of which I am a member, that the United States will sign the seabed mining agreement—also known as the Boat Paper—relating to the United Nations Law of the Sea Treaty, when it is opened for signatures on July 29, 1994.

In 1982, President Reagan rejected the proposed U.N. Law of the Sea Treaty, but today, President Clinton wants to sign this document, which I believe is still not in the best interest of the United States. The United Nations claims to have changed and overcome many of the items President Reagan objected to 12 years ago, but these changes are still not enough. The problem still lies within the seabed mining provisions of the treaty.

We must ask, "Is signing this treaty in the interest of the United States?" Only 60 countries have ratified the treaty, but no other industrialized nation has signed it. In this agreement Third World countries will receive preferential treatment at the expense of industrialized nations. Even though the treaty has been amended, since 1982, it continues to discriminate against the United States and other industrialized nations. There will be total domination by Third World developing countries in

all aspects of the bureaucracy created by this treaty.

The Preamble of the Law of the Sea Treaty says it all, "the achievement of these goals will contribute to the realization of a just and equitable international economic order which takes into account the interests and needs of mankind as a whole and, in particular, the special interests and needs of developing countries. * * *

In article 144 of the treaty, in laymen's terms, developed nations will be "encouraged" to transfer their mining technology and other technologies to the Authority and to developing nations. In addition to this transfer, developed nations will be "encouraged" to assist citizens of developing nations obtain the jobs skills necessary to more effectively compete with developed nations' mining operations. "Encouraged" means "mandated" in UN parlance.

In Article 266 of the treaty, again, in laymen's terms, developed nations are called upon to assist with developing the marine scientific and technological capacity of developing nations; and accelerating the social and economic development of Third World nations.

In addition to these general provisions and as stated before, the most significant problem still lies within the seabed mining provisions of the treaty and the bureaucracy established to make it work. Under these provisions:

First, the United States will have no veto, but will pay for more than 25 percent of the start up costs of the International Seabed Authority and its bureaucracy—an assembly, a council, a secretariat, a chamber—which will be dominated by undeveloped countries. (Article 158)

Second, the United States will have to assist in the establishment of the Enterprise, the seabed mining arm of the Authority, which will operate in direct competition within sovereign countries and private miners.

Third, the United States will have to participate in international revenue sharing with Third World countries. (Article 140)

Fourth, the United States will not be able to guarantee access for our miners to the seabed. We may even be discriminated against.

Fifth, United States miners will have to pay one-quarter of a million dollars in application fees for both exploration and exploitation, plus royalties and unspecified annual fees. (Boat Paper, Section 7); and

Sixth, the United States may be required to allow foreign countries, including Third World, to fish within our 200 mile EEZ (Exclusive Economic Zone). (Article 62)

The United States sovereignty and economic well-being will be jeopardized should the Clinton administration sign the treaty on July 29.

Furthermore, a Clinton administration signature will bind the United

States to the seabed agreement and portions of the treaty for up to 4 years, even absent of Senate ratification.

Again, the question remains, is the Law of the Sea Treaty in the best interest of the United States? I believe that the United States should not sign the United Nations' Law of the Sea Treaty because Third World countries obviously want to use it to impose an unfair and unearned redistribution of wealth. Industrialized nations, including the United States, are being asked to shell out a lot of money for little in return. No other industrialized nation, save the United States, under the Clinton administration, has taken the bait. I strongly urge my colleagues to not support the treaty's ratification when it comes before the full Senate. Support for this resolution will send a strong message to the Administration of the Senate's lack of support for the Law of the Sea Treaty. •

AMENDMENTS SUBMITTED

AGRICULTURE APPROPRIATIONS ACT FOR FISCAL YEAR 1995

MCCAIN (AND OTHERS) AMENDMENT NO. 2305

Mr. MCCAIN (for himself, Mr. KERREY, Mr. DOLE, Mr. BROWN, Mr. DURENBERGER, Mr. KOHL, Mr. EXON, Mr. PACKWOOD, Mr. LIEBERMAN, Mr. BOND, Mrs. KASSEBAUM, Mr. COCHRAN, Mr. BENNETT, Mr. GORTON, and Mr. THURMOND) proposed an amendment to the bill (H.R. 4554) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1995, and for other purposes; as follows:

At the end of the pending committee amendment add the following:

"Provided further, That the following Section of the bill is null and void: *Provided further*, That no funds provided herein shall be available to provide food assistance in cash in any county not covered by a demonstration project that received final approval from the Secretary on or before July 1, 1964."

LEAHY (AND LUGAR) AMENDMENT NO. 2306

Mr. LEAHY (for himself and Mr. LUGAR) proposed an amendment to the bill H.R. 4554, supra; as follows:

At the end of the section of the bill entitled "Agricultural Research Service" add the following:

"Provided further, The Secretary may exercise his authority to close the research locations specified for closure in the President's 1995 budget."

LUGAR AMENDMENT NO. 2307

Mr. LUGAR proposed an amendment to amendment No. 2306 proposed by Mr. LEAHY to the bill H.R. 4554, supra; as follows:

At the end of amendment add the following: "for the Department of Agriculture."

BRADLEY AMENDMENT NO. 2308

Mr. BRADLEY proposed an amendment to the bill H.R. 4554, supra; as follows:

On page 12, line 23, strike "\$38,718,000" and insert "\$25,700,000".

HELMS AMENDMENT NO. 2309

Mr. HELMS proposed an amendment to the bill H.R. 4554, supra; as follows:

At the appropriate place, insert the following new section:

SEC. . ENDING THE USE OF TAXPAYER FUNDS TO ENCOURAGE EMPLOYEES TO ACCEPT HOMOSEXUALITY AS A LEGITIMATE OR NORMAL LIFESTYLE.

None of the funds made available under this Act may be used to fund, promote, or carry out any seminar or program for employees of the United States Department of Agriculture, or to fund any position in the Department of Agriculture, the purpose of which is to compel, instruct, encourage, urge or persuade Departmental employees or officials to:

(1) recruit, on the basis of sexual orientation, homosexuals for employment with the Department; or

(2) embrace, accept, condone, or celebrate homosexuality as a legitimate or normal lifestyle.

REID (AND BRYAN) AMENDMENT NO. 2310

Mr. REID (for himself and Mr. BRYAN) proposed an amendment to the bill H.R. 4554, supra; as follows:

At the appropriate place, insert the following:

SEC. —. (a) None of the funds made available in this Act may be used to provide any Federal benefit or assistance to any individual or entity in the United States unless the Federal entity or official to which the funds are made available takes reasonable actions to determine whether the individual is in a lawful immigration status in the United States.

(b) In no case may a Federal entity, official or their agent discriminate against any individual with respect to filing, inquiry, or adjudication of an application for funding made available in this Act on the basis of race, color, creed, handicap, religion, sex, sexual orientation, national origin citizenship status or form of lawful immigration status.

(c) For purposes of this section, the term "Federal benefit or assistance" does not include search and rescue; emergency medical care; emergency mass care; emergency shelter; clearance of roads and construction of temporary bridges necessary to the performance of emergency tasks and essential community services; warning of further risks or hazards; dissemination of public information and assistance regarding health and safety measures; the provision on an emergency basis of food, water, medicine, and other essential needs, including movement of supplies of persons; reduction of immediate threats to life, property and public health and safety; and programs funded under title IV of this Act.

BUMPERS (AND COCHRAN) AMENDMENT NO. 2311

Mr. BUMPERS (for himself and Mr. COCHRAN) proposed an amendment to the bill H.R. 4554, supra; as follows:

On page 56, line 19, strike "\$198,000,000" and insert: "\$297,000,000".

On page 57, line 3, strike "\$40,000" and insert: "\$60,000".

BUMPERS (AND COCHRAN) AMENDMENT NO. 2312

Mr. BUMPERS (for himself and Mr. COCHRAN) proposed an amendment to the bill H.R. 4554, supra; as follows:

On page 14, line 24, strike "\$1,500,000" and insert in lieu thereof: "\$4,350,000";

On page 16, line 3, strike "\$420,233,000" and insert in lieu thereof: "\$423,083,000"; and

On page 83, strike lines 6 through 16 and insert in lieu thereof:

"Sec. 724. No funds shall be available in fiscal year 1995 and thereafter for payments under the Act of August 30, 1980 and the tenth and eleventh paragraphs under the heading "Emergency Appropriations" of the Act of March 4, 1907 (7 U.S.C. 321 et seq.)."

HOLLINGS (AND OTHERS) AMENDMENT NO. 2313

Mr. BUMPERS (for Mr. HOLLINGS for himself, Mr. GRAMM, and Mrs. MURRAY) proposed an amendment to the bill H.R. 4554, supra; as follows:

On page 12, line 23, strike "\$38,718,000" and insert: "\$43,718,000".

On page 16, line 15, strike "\$59,836,000" and insert: "\$62,744,000".

KERREY AMENDMENT NO. 2314

Mr. BUMPERS (for Mr. KERREY) proposed an amendment to the bill H.R. 4554, supra; as follows:

On page 23, line 1, strike "\$533,929,000" and insert "\$533,094,000".

DOLE AMENDMENT NO. 2315

Mr. COCHRAN (for Mr. DOLE) proposed an amendment to the bill H.R. 4554, supra; as follows:

On page 34, line 17, strike "\$582,141,000", and insert "\$591,049,000".

On page 71, line 3, strike "\$767,156,000", and insert "\$758,248,000" and on line 21, strike "\$150,800,00", and insert "\$159,708,00".

On page 61, line 18, after the word "Institute", insert the following: "Provided further, That \$859,000 shall be available to provide grants to states for non-recurring costs in providing for the special dietary needs of children with disabilities"

CONRAD (AND BUMPERS) AMENDMENT NO. 2316

Mr. BUMPERS (for Mr. CONRAD for himself, and Mr. BUMPERS) proposed an amendment to the bill H.R. 4554, supra; as follows:

On page 38, line 15, strike "\$11,672,000" and insert "\$18,672,000".

On page 71, line 3, strike "\$758,248,000" and insert "\$754,587,000".

On page 71, line 21, strike "\$159,708,000" and insert "\$163,369,000".

CONRAD (AND OTHERS) AMENDMENT NO. 2317

Mr. BUMPERS (for Mr. CONRAD for himself, Mr. LEAHY, and Mr. DORGAN) proposed an amendment to the bill H.R. 4554, supra; as follows:

On page 47, line 25, insert before the period the following: "Provided, That, notwithstanding any other provision of law, from the date of enactment of this Act until September 30, 1994, the Secretary of Agriculture—

"(1) may transfer funds so as to make available—

"(A) the amounts that would otherwise be available for gross obligations for the principal amount of farm ownership, operating, or emergency loans; and

"(B) the amounts that would otherwise be available for the cost of farm ownership, operating, or emergency loans (including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a));

for any of such gross obligations or such costs; and

"(2) may not expend any funds, or disburse any new loans, after September 30, 1994, made available by a transfer described in paragraph (1) for fiscal year 1994".

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUE. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will be holding a hearing on Tuesday, July 19, 1994, beginning at 2 p.m., in G-50 Dirksen Senate Office Building on S. 2230, the Indian Gaming Regulatory Act Amendments Act of 1994.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BUMPERS. Mr. President, I would like to announce that a hearing has been scheduled before the Subcommittee on Public Lands, National Parks and Forests.

The hearing will take place on Tuesday, August 2, 1994, beginning at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills pending before the subcommittee:

S. 1222, to revise the boundaries of the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island, and for other purposes;

S. 1342, to establish in the Department of the Interior the Essex Heritage District Commission, and for other purposes;

S. 1726, to provide for a competition to select the architectural plans for a museum to be built on the East Saint Louis portion of the Jefferson National Expansion Memorial, and for other purposes;

S. 1818, to establish the Ohio and Erie Canal National Heritage Corridor in

the State of Ohio as a affiliated area of the National Park System, and for other purposes;

S. 1871, to establish a Whaling National Historical Park in New Bedford, MA, and for other purposes;

S. 2064, to expand the boundary of the Weir Farm National Historic Site in the State of Connecticut; and

S. 2234, to amend the Mississippi River Corridor Study Commission Act of 1989 to extend the term of the commission established under that act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, anyone wishing to submit a written statement is welcome to do so by sending two copies to the Committee on Energy and Natural Resources, 304 Dirksen Senate Office Building, Washington, DC 20510.

For further information regarding the hearing, please contact Dionne Thompson of the subcommittee staff at (202) 224-5925.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 9:30 a.m., July 19, 1994, to receive testimony on S. 2151, a bill to direct the Secretary of the Interior to convey certain lands to the State of California, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet today, July 19, 1994, at 10 a.m., to consider its recommendations for legislation to implement the Uruguay round of multilateral trade negotiations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. FORD. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee for authority to meet on Tuesday, July 19, at 9:30 a.m. for a hearing on the subject: High Risks and Emerging Fraud: IRS, Student Loans, and HUD.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Tuesday, July 19, 1994, beginning at 2 p.m., in G-50 Dirksen Senate Office Building on S. 2230, the Indian Gaming Regulatory Act Amendments Act of 1994.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on

the Judiciary be authorized to hold a business meeting during the session of the Senate on Tuesday, July 19, 1994, to consider the nominations of Stephen G. Breyer, of Boston, MA, to be associate justice of the Supreme Court.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN WATER, FISHERIES AND WILDLIFE

Mr. FORD. Mr. President, I ask unanimous consent that the Subcommittee on Clean Water, Fisheries and Wildlife, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on Tuesday, July 19, beginning at 9 a.m., to conduct a hearing on reauthorization on the Endangered Species Act, focusing on conservation on private lands.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

IMMUNIZATION

• Mr. BUMPERS. Mr. President, I ask that I be allowed to enter the following article regarding vaccination, in its entirety, into the CONGRESSIONAL RECORD.

The article follows:

[From the Immunization Action News, June 15, 1994]

OPPOSITION TO VACCINATION, CAUSE OF MEASLES OUTBREAKS

Among the outbreaks in the current measles season, the number of cases in persons opposed to vaccination for religious or philosophical reasons has been particularly high.

Although most of these cases have occurred in only two separate outbreaks, the 269 confirmed cases reported from January 1 through May 21, 1994 represented over 50% of all 517 measles cases reported to the MMWR during that period. Not only have these outbreaks presented challenges for controlling measles this year, they illustrate the continued challenge presented by groups claiming exemption to vaccination as states work to reach the 1996 national goals for immunization and disease reduction.

The first and longest running of these two outbreaks began in mid-February in Salt Lake County, Utah. It grew to affect 11 extended families and involved unvaccinated persons, age 3 months to 23 years, opposed to vaccination on philosophical grounds. As of May 21, 93 confirmed cases were reported to the MMWR with another 28 potential cases awaiting confirmation. By May 1, direct transmission from this outbreak to an extended family in Nevada had occurred. Twelve potential cases are being investigated, all of which occurred following a visit to one of the affected Utah families. As of May 21, suspected cases were still being reported in the Utah outbreak.

Additionally, two cases of measles in a Missouri family have been linked to the Utah outbreak and one case in Colorado has been linked to the cases in Missouri.

The other outbreak among persons opposed to vaccination began in two contiguous counties along the Illinois-Missouri border on April 4 when a Christian Science high school student became ill after skiing in

Breckenridge, Colorado during a measles outbreak there. This student lived with her family on campus at Principia College, a Christian Science college in Jersey County, Illinois and commuted daily to the Principia Christian Science School (grades K-12) in St. Louis County, Missouri.

By May 21, the extended outbreak, centering around both campuses, had resulted in 175 confirmed cases (IL, 38; MO, 137) of measles reported with another 27 potential cases (IL, 8; MO, 19) being investigated. This outbreak represents the largest measles outbreak in 1994 within the United States.

Control measures in both of these outbreaks relied primarily upon quarantine and careful surveillance to prevent the spread of measles outside the groups in which it began.

Local health departments offered vaccinations which were accepted by some individuals in the affected groups. Established working relationships between these groups and the local health departments allowed strict quarantine measures to be maintained.

In Missouri and Illinois, students were confined to designated areas of campus or home for two weeks following exposure. Only persons with proof of immunity were permitted to go into quarantined areas. Although Christian Scientists generally oppose medical care, much discretion is left to the individual and many students accepted vaccination in order to return to classes. However, a large number of these students did develop measles, most likely because they had received the vaccine more than the recommended 72 hours after being exposed (ACIP recommendations). By May 21, there was no indication of measles transmission outside the Christian Science community. However, since then at least two suspected cases have been reported in St. Louis County in non-Christian Scientists who came into contact with students from the Principia School, one at a tennis match and one at a restaurant where a post-tennis match celebration was being held.

Most of the families in the Utah and Nevada outbreak live in semi-secluded areas and teach their children at home rather than use the public schools, making quarantine easier to maintain. Several family members did accept vaccine rather than risk missing work due to illness.

The large size of these outbreaks illustrates the potential difficulties that groups opposing vaccination pose for measles control efforts, and especially for elimination of indigenous measles in the United States. Immunization may be accepted by some members in such groups, particularly when the consequences of illness may be less acceptable, i.e., missing work or school. In Missouri, many students accepted immunization in order to attend school graduation. Unfortunately, individual decisions to be vaccinated may not be made until the outbreak is well established and its potential impact becomes apparent. The success that State and local health departments demonstrated in containing these outbreaks grew from established relationships based upon respect and understanding of the beliefs and rights of the groups involved. Good relations permitted health officials to learn about new cases promptly, to maintain effective quarantine, and in some cases win acceptance of vaccination. •

ANNIVERSARY OF NAVY ATTACK SQUADRON 35

• Mr. WARNER. Mr. President, it is an honor for me to rise today to commemorate the 60th anniversary of the oldest attack squadron in the U.S. Navy—Attack Squadron 35 [VA-35]—and to pay tribute to the many officers and enlisted personnel, as well as their families, who have served in and supported this historic squadron over the past 60 years.

This month, VA-35, known as the Black Panther Squadron, will celebrate their 60th year as a Navy, carrier-based aircraft squadron. Over the past 60 years, the Panthers have operated 19 different aircraft models and flown from the decks of 29 aircraft carriers, including a British carrier.

VA-35's distinguished record reads like the history of U.S. Navy carrier aviation and modern air warfare. VA-35 was commissioned on July 1, 1934, at the Naval Air Station in Norfolk, VA. Their first aircraft was the Martin BM-1/2, followed in October 1934 when they were assigned the Great Lakes BG-1 and operated from the Navy's first aircraft carrier, the U.S.S. *Langley*. Since commissioning in 1934, VA-35 has participated in most military actions involving the use of air power this country has been involved in.

During World War II, VA-35 was embarked in U.S.S. *Saratoga*, U.S.S. *Enterprise*, and U.S.S. *Yorktown*. In 1942, operating from *Saratoga*, the squadron supported the Doolittle raid on Tokyo by providing escort patrols and search and rescue aircraft. In June 1942, operating from *Yorktown* and flying the Douglas SBD-3 *Dauntless*, VA-35 participated in the greatest naval battle of all time, the Battle of Midway. Although their parent carrier, *Yorktown*, was lost in the battle, the squadron was still able to conduct air strikes against two of the Japanese carriers. Later in World War II, flying the Curtiss SB2C *Helldiver*, the squadron supported Marine amphibious landings at Guadalcanal, and participated in numerous major air campaigns, including air strikes against Manila Bay, Iwo Jima, Luzon, and Leyte.

During the Korean war, operating from the carrier U.S.S. *Leyte* and flying the Douglas A-1 *Skyraider*, the Panthers provided air strikes, close air support, and armed reconnaissance missions against North Korean troops and equipment. In 1958, VA-35 again participated in military actions, this time in Lebanon, followed in 1962, by a deployment in support of Navy operations during the Cuban missile crisis.

In December 1965, VA-35 was one of the first Navy squadrons to make the transition to the Grumman A-6 *Intruder*. This unique two-place aircraft (pilot and bombardier/navigator) provided the carrier battle group with a superior long-range, night/all-weather medium attack bomber. In November

1966, VA-35 embarked in the first nuclear-powered aircraft carrier U.S.S. *Enterprise*, made the first of what was to be four combat deployments to Southeast Asia, including participation in the last air campaign against North Vietnam in late 1972 and early 1973.

Mr. President, this final air campaign, Operation Linebacker 2, resulted in the release of our POW's including our distinguished colleague from Arizona, Senator JOHN MCCAIN, who as a Navy pilot was shot down in October 1967, and was a POW for 5½ years. As Secretary of the Navy during 1972, I had the privilege to observe firsthand VA-35 which included participation in Linebacker II operations as well as the other squadrons of Carrier Airwing 8 aboard the carrier U.S.S. *America*.

Mr. President, I spent most of the Christmas holidays aboard *America* in the Tonkin Gulf, and was able to follow the difficult missions assigned to VA-35 which included participation in the remining of Haiphong Harbor and nightly, low-level bombing attacks against a variety of heavily defended targets in North Vietnam.

In 1980, deployed aboard U.S.S. *Nimitz*, the Panthers became the first operational A-6 Squadron to deploy with the forward looking infrared radar and laser equipped A-6 TRAM configured aircraft. Responding to the hostage crisis in Iran, the *Nimitz* left the Mediterranean for the Indian Ocean where they would eventually spend 144 continuous days at sea.

When Operation Desert Shield began in August 1992, VA-35 was assigned to U.S.S. *Saratoga* and soon arrived on station in the Middle East. Before Operation Desert Storm ended in the spring of 1991, the Panthers, now flying the latest version of the *Intruder*, would be the first United States aircraft to attack Iraqi targets and would complete nearly 400 air combat missions.

As VA-35 approached its 60th anniversary in 1994, the squadron was at sea again, deployed to the Mediterranean on U.S.S. *Saratoga*. This deployment had special significance beyond the 60th anniversary, since it would be the last deployment for VA-35 beyond the 60th anniversary, since it would be the last deployment for VA-35 flying the venerable A-6 *Intruder* and the twilight cruise for *Saratoga*. Not resting on its many laurels during this anniversary deployment, the squadron participated in United States efforts in support of Bosnia-Herzegovina. In this and other important operational missions during the deployment, VA-35 aircrews logged over 1,400 sorties, 2,700 flight hours, and completed 1,400 carrier landings, 450 of which were at night.

Mr. President, no tribute to VA-35 on its 60th anniversary would be complete without a special salute to perhaps the most important part of the VA-35 team—the wives and families. Their

contributions have been the greatest. I believe it is fitting and most appropriate that, as we honor the 60th anniversary of VA-35, we recognize and emphasize the unique contributions made by the wives and families.

So Mr. President, I will conclude this tribute by saying that the officers and enlisted personnel of Attack Squadron 35—past and present—have very much to be proud of on this, their 60th anniversary. I ask my Senate colleagues to join me today in honoring them and their families, and in thanking them for their dedication, contributions, as well as their sacrifices, in service to their country. •

HOMICIDES BY GUNSHOTS IN NEW YORK CITY

• Mr. MOYNIHAN. Mr. President, I rise, as has been my practice each week in this session of the 103d Congress, to announce to the Senate that during the last week, 29 people were killed in New York City by gunshot, bringing this year's total to 547. •

TRIBUTE TO BOB KENNEDY

• Mr. LUGAR. Mr. President, I rise today to honor the achievements of an outstanding young athlete in whose strength and ability the United States should take great pride. Recently, on the weekend of July 9 and 10, in Lille, France, United States runner Bob Kennedy set the fastest time ever for a United States-born runner in the 5,000 meter run. Kennedy finished second only to Olympic 10,000 meter champion Khalid Skah, of Morocco, with a time of 13:05.93, his lifetime best by almost 9 seconds.

Bob Kennedy has continually proven his athletic ability. From his college career at Indiana University where he was an NCAA indoor, outdoor, and cross-country champion, to his competitive finish in the 1991 World Championships and the 1992 Olympics, Bob has displayed the qualities of a champion. His courage and perseverance helped him overcome a recent stress fracture of his shin. He continues to pursue a running career and is now considered one of the most promising runners in the world, as well as a serious Olympic medal contender.

Mr. President, as an avid runner myself, I appreciate the energy and determination Bob Kennedy has displayed, as well as the dedication he must possess to achieve all his accomplishments. I am proud of the way that he has represented my State and my country. I am certain my colleagues join me in praising Bob Kennedy's recent achievement in the 5,000 meter race. I join his family and friends in wishing him luck in future races, including the upcoming 1996 Olympic games. •

DRUG WAR SURRENDER?

• Mr. D'AMATO. Mr. President, I rise today to review the current state of what used to be called the drug war. I have spoken before on this topic and urged the Clinton administration to take sensible steps to advance the progress that past administrations have made. It now appears that they have retreated from past progress and undermined both domestic and foreign counterdrug efforts. It is time to ask if the Clinton administration has surrendered in the drug war.

Anyone who is serious leader in counternarcotics will say that the drug war will be won or lost on the demand side. They will also agree that supply side efforts must be sustained and effective to shield demand side efforts against being overwhelmed by the easy availability of cheap, high purity drugs.

President Clinton has said all the right things. On the demand side, he said we would focus on "the most tenacious and damaging aspect of America's drug problem—chronic, hard-core drug use and the violence it spawns." On the domestic supply side, he said:

We will continue with strengthened efforts by Federal law enforcement agencies—in concert with their State and local counterparts—to disrupt, dismantle, and destroy drug trafficking organizations.

On the foreign front, he said:

International drug trafficking is a criminal activity that threatens democratic institutions, fuels terrorism and human rights abuses, and undermines economic development. Antidrug programs must be an integral part of our foreign policy when dealing with major source and transit countries, equal to the worldwide commitment that the United States devotes to the promotion of democracy, human rights, and economic advancement. (1994 National Drug Control Strategy).

The problem is not what he has said, but what he has done, or in many cases, not done. Rather than attempting to review and assess the totality of the national drug control strategy and each of the component policies and programs intended to implement that strategy, in today's remarks I will highlight what has happened to a few key parts of our counterdrug effort. These parts are those that, if fully funded and well-run, would produce the greatest leverage or synergy in the drug war, and are the critical links in any effort to draw together all of the vast resources of the United States for a coordinated, sophisticated, smart counternarcotics effort.

While the Office of National Drug Control Policy [ONDCP] cannot be said to be a success, at least it played a modest but necessary role in coordinating the policies and budgets of the major agencies involved in the drug war. However, to keep a campaign promise to cut White House staff, President Clinton cut ONDCP's staff

back from 146 staffers to 25 staffers, undercutting its ability to use its only effective leverage to shape the counterdrug program—its authority over drug program agencies' counterdrug budgets. The staff cuts effectively ended ONDCP's ability to analyze agency counterdrug budgets, much less monitor their execution and enforce coordination. In addition, the new director of National Drug Control Policy, Lee P. Brown, has been practically invisible on the national stage.

On the demand side, President Clinton's accurate rhetorical focus on hard-core drug users is not matched with policies or programs capable of turning his rhetoric into reality. Hard-core drug users are the source of the cash flow that is the foundation of the cocaine cartels and heroin rings, and breaking their habits—and stopping their payments for illegal drugs—is the key to making real advances against illegal drug use.

We do not have either an adequate scientific understanding of how illegal drugs work on the human central nervous system, or an actual medical treatment for either cocaine or heroin addiction. Methadone is not a curative, it is merely a palliative. The availability of workable medical treatments for cocaine and heroin addiction is a key to success with the hard-core addict population.

In fact, while experts argue over actual percentages, few addicts choose to become clean and sober voluntarily, and few of those who try to permanently change their addictive behavior actually succeed. Relapse is a serious problem. If workable medical treatments were available, treatment programs, whether voluntary or as the result of criminal justice system processing, would have a much better chance of success. This success would be a key to cutting the cartels' cash flow.

With this in mind, the provision of \$81.5 million for basic biomedical research and \$68.9 million for neurobehavioral research in the administration's fiscal year 1995 budget request is totally inadequate. This request represents, respectively, 0.6 percent and 0.5 percent of the total of \$13.2 billion total funding request for counterdrug activities. Worse, the basic biomedical request doesn't even keep up with the fiscal year 1995 Biomedical Research and Development Price Index, which projects an increase of 4.1 percent in costs. The basic biomedical research request represents an increase of 3.8 percent over the fiscal year 1994 request, but represents an actual decrease in purchasing power of the account of 0.3 percent. While the neurobehavioral research account has gone up by 8.3 percent over fiscal year 1994, this represents only a 4.2 percent advance over inflation in the account.

In contrast, the administration is asking for a \$360.3 million, or 14.3 per-

cent increase in its drug treatment account, and a \$448.2 million, or 28.0 percent increase in its education, community action, and the workplace account. This \$808.5 million increase in these accounts funnels money into activities that, while helpful, are not critical. Worse, most of the funds going into those activities are coming from supply-side activities that were, in many cases, just reaching a resource level that allowed sporadic effectiveness.

On the supply side, action against drug trafficking organizations begins in source and transit countries with good relations with these nations' governments. From friendly, cooperative relations flow a series of policy, legal, and resource allocation decisions that comprise active counternarcotics programs that are coordinated with U.S. efforts.

Without even discussing program or resource specifics in this area, the single most important fact is that on May 1, 1994, the United States ceased providing real time aircraft radar track data to Colombia and Peru. This essential assistance was halted because of a legal opinion that provision of such data to countries with active policies of using lethal force against suspected trafficker aircraft constituted a violation of a Federal criminal law, specifically title 18, United States Code, section 32, Destruction of Aircraft or Aircraft Facilities.

This cutoff of radar data angered and confused the Governments of Colombia and Peru and, coupled with other developments, threatens to sour relations with governments that are critical to our efforts against cocaine trafficking. Despite a reported decision by President Clinton that would allow us to resume providing this radar data if Colombia and Peru agree to certain conditions, we have not, as of today, resumed sharing this information.

The net result of this situation is that the people who do the actual counternarcotics work in, respectively, the home country of the cocaine cartels and the major cocaine producing country, are denied critical information they need to do their jobs. This allows the cartels to move product from Peru to Colombia and to ship it from Colombia north to the United States with much less risk of interception by law enforcement. Thus, supply side forces are unable to do their jobs to protect demand side efforts from being overwhelmed by an incoming tide of cheap, high purity cocaine.

In addition, other events have taken place that downgrade the emphasis on joint cooperative counternarcotics efforts by U.S. defense and law enforcement agencies. Defense Department participation is being reduced in almost all areas. The way to determine how much it is being reduced is to compare the fiscal year 1995 DOD

counternarcotics budget request by category with what was actually appropriated in fiscal year 1993. The reason why this is important is that the fiscal year 1994 appropriation was so reduced that it gives the false impression that the fiscal year 1995 request represents growth in DOD's commitment to the drug war, at least in a few categories. Comparison with the fiscal year 1993 levels reveals that DOD's resource comment reveals a cut from \$1.14 billion in fiscal year 1993 to \$874.0 million, a reduction of \$266.5 million, or 23.4 percent. Moreover, key components of the effort, such as interdiction, received even deeper reductions. Interdiction funding is down from \$631.5 million in fiscal year 1993 to \$427.8 million fiscal year 1995, a cut of \$203.7 million or 32.3 percent.

Mr. President, I don't know very many government programs that can be run efficiently with such dramatic resource reductions. Everything that I hear leads me to believe that these resource reductions have had a pronounced negative impact on the effectiveness of DOD counterdrug operations—at least until the radar data decision led to the suspension of many of them.

This sequence of events has disjointed our interdiction efforts, which to function well, must be an integrated whole with end-to-end connectivity. The process starts with, hopefully, intelligence that a drug flight will soon be airborne.

Armed with this intelligence, U.S.-operated radar, either airborne or ground-based, acquires radar tracks and performs the critical sorting function—identifying the one track that is the suspect aircraft out of all of the tracks of ordinary commercial, private, and military aircraft that are in the air on legal business. Then, that suspect track is provided first to host nation forces for any action they might decide to take.

If the suspect flight proceeds north toward the United States, long-range interceptors are vectored to intercept and follow the subject aircraft. If the suspect aircraft lands in Mexico, host nation apprehension forces are vectored to the landing site to arrest the traffickers and seize the aircraft and its cargo. If the suspect's aircraft heads into the Caribbean to make an airdrop to waiting smugglers' boats, host nation or U.S. Coast Guard or U.S. Navy vessels with LEDET's onboard are vectored to the airdrop site to intercept the boats, arrest the traffickers, and seize the cargos. In that case, the long-range interceptor then follows the airdrop aircraft back to its origin, and the radar track is again provided to the host nation for any action they may choose to take.

If any link in this complex chain of intelligence, sensor data, communications, operations, and logistic support

for these activities is broken, the whole interdiction process fails. According to the 1994 National Drug Control Strategy, the DOD counterdrug program's two principal objectives are: "First, disrupting narco-trafficker operations—by forcing the drug cartels to seek alternate means and routes for the delivery of illegal drugs, at increased risk and expense, and second, assisting drug law enforcement agency [DLEA] and host nation interdiction operations." The decline in resources and the dispute over radar track data has frustrated achievement of these objectives and, indeed, represents a serious step backward from a situation in which we were beginning to achieve sporadic success.

The administration's fiscal year 1995 budget requests for the Federal Bureau of Investigation and the Drug Enforcement Administration reflected serious reductions in agent personnel and support personnel, reductions so large that they would have immediately damaged domestic law enforcement efforts against drug trafficking. The Senate and House Appropriations Subcommittees on Commerce, Justice, and State, the Judiciary, and Related Agencies acted to block these reductions. The Senate bill provides for the hiring of 436 new FBI special agents and 311 more DEA special agents, restoring both agencies to their peak—fiscal year 1992—strength.

Against this background, it is only possible to conclude that President Clinton is presiding over our surrender in the drug war. Foreign policy blunders, resource cutbacks in key areas, and what I suspect is malign—not benign—neglect, lead me to that judgment. It is a judgment that is fraught with peril for the United States.

As I have said before, success in the drug war depends upon creation of a popular culture that deglamorizes and delegitimizes drug use; availability of effective medical treatment for those who want to break the cycle of addiction; strict and fair enforcement of U.S. drug laws; a cost-effective monitoring and interdiction program to defeat drug transportation networks; and friendly, cooperative counterdrug programs conducted with host nations in source and transit countries against cartel and heroin rings. When we do those things, and do them smartly, we can defeat the scourge of illegal drugs and take a long step toward restoring domestic peace and tranquility in our own country.

When we fail to do those things, violent crime surges, medical costs rise, industrial, commercial, and transportation accidents rise, the efficiency of our economy goes down, and faith in the ability of government at all levels to meet the basic needs of our citizens is undermined. U.S. surrender in the drug war doesn't mean lower costs, it means higher costs for more cops, more

prosecutors, more prisons, more emergency room visits, more shattered families more public assistance. It doesn't mean less crime and violence, it means more. It doesn't produce a more tolerant civil society, it produces loss of faith and loss of confidence and a retreat into more and more extreme local measures to defend families and communities against this treat.

Mr. President, Congress cannot run the drug war. Only the President can do that. We cannot save the executive branch from all of its mistakes. We cannot turn around popular culture—culture that seems again to be looking favorably on drug abuse.

This speech is an alarm bell—a ringing alarm that is intended to awaken those who are concerned about the drug war and its progress, and who may have been misled by administration rhetoric into believing that we are making progress. We are not making progress, we are sliding backwards, losing ground that will be very expensive in time and in money to regain, if we can regain it, because part of that ground consists of confidence of people in U.S. policy.

I call upon my colleagues to again refocus their attention on the drug war, and to ask the searching, probing questions that will confirm the problems it is now facing. After we hear the answer to those questions, we must act to restore and, to the extent that we can, commitment to the drug war. If we fail, the American people will hold us responsible.●

PRESIDENTIAL ELECTIONS IN BELARUS

● Mr. DECONCINI. Mr. President, the 1990 Copenhagen document of the Conference on Security and Cooperation in Europe states that "The will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of authority and legitimacy of all government."

As chairman of the Commission on Security and Cooperation in Europe, the agency mandated by Congress to monitor implementation of the decisions of the Conference on Security and Cooperation in Europe, I would like to inform my colleagues about the recent Presidential election held in Belarus. This is particularly important because these are the first Presidential elections held in Belarus since that country became independent in 1991.

As part of the mandate of the Commission on Security and Cooperation in Europe, the Commission sent two staff members to observe the elections and gain insight on the current political situation in Belarus. The report resulting from that visit will be available to the Members of this body shortly.

There were six candidates running in the first round of the elections. They

were: Prime Minister Vyacheslau Kebich; former Supreme Soviet (Parliament), Chairman Stanislau Shushkevich; the chairman of the Union of Collective Farms, Aleksandr Dubko; former head of the parliament's anti-corruption committee, Aleksandr Lukashenka; chairman of the Belarusian popular front Zenon Poznyak; and Belarusian Communist Party Chairman Vasily Novikau.

I regret to note that during the campaign, the government attempted to put one newspaper, *Svoboda*, out of business, canceled two unfriendly programs on the state radio network, and dropped air time for an independent television network that had been critical of the Kebich administration. Even the Soros foundation, a nonpartisan organization that promotes development of an open society, had been criticized by government authorities for allegedly promoting foreign values.

At the end of the first round of voting, Mr. Lukashenka totaled a surprising 45 percent of the total. Mr. Kebich, whom earlier polls had shown running about even with Mr. Lukashenka, came in second with an unexpectedly low 17 percent. Mr. Pozniak, who had been painted by his opponents as an extreme nationalist, overcame his earlier single-digit polling figures, and showed a respectable third with 12 percent.

In the second round of voting between Mr. Lukashenka and Mr. Kebich, Mr. Lukashenka cemented his victory with an 80 percent showing to around 14 percent for Mr. Kebich. The Prime Minister of Russia, Mr. Chernomyrdin, had visited Minsk before the runoffs, to help boost Mr. Kebich's chances, but obviously with little effect.

When all was said and done, the people of Belarus said they were tired of business as usual, and were willing to try something new. Mr. Lukashenka will have his work cut out for him. His Prime Minister and Ministry appointments will have to be approved by a heretofore hostile parliament. Administrative Fiat and imprecations against corruption will not reinvigorate the economy, nor will control over the media and resorting to antidemocratic methods will solve problems, but just exacerbate them.

A strong supporter of close cooperation with Russia, Mr. Lukashenka reportedly intends to press for the monetary union with Russia promoted by his predecessor. However, doubts about this proposal have been raised of late in both Minsk and Moscow, so the future of the monetary union remains to be seen. Besides, as one observer in Minsk expressed it, Mr. Lukashenka may decide that he'd rather take his economic reports to Brussels than to Moscow.

In any event, the people of Belarus have made their choice. We certainly wish them and their new leader well, as Belarus continues its difficult journey

toward economic recovery, political plurality, and a respected place in the European community. •

PENTAGON WISH LIST

• Mr. D'AMATO. Mr. President, a short, sharp flap recently arose over efforts by the chairman of the House Defense Appropriations Subcommittee to throw the F-22, F/A-18E/F, RAH-66, and V-22 in a pot and force the Pentagon to choose three. The chairman's initiative was beaten back, but his point is well taken: The defense budget cannot sustain the current Pentagon wish list. Frankly, it behooves us to cull out the weakling now, rather than cripple the entire herd waiting for the one program to starve.

I believe that weakling is the F-22, an overbred, overpriced relic of the cold war that is no more affordable than was the B-2 or the *Seawolf*. We have been remiss in allowing the Air Force and Navy, armed with identical weapons, facing identical threats, and spending out of the same checkbook, to have come up with such radically different solutions to tactical aviation modernization.

The Navy's solution to gaining and maintaining air superiority and projecting force while reducing the overall cost of tactical aviation, is a neckdown strategy centered around an upgrade to the proven, multimission F/A-18C/D. The new F/A-18E/F, besides enjoying a significant improvement in range and payload over the C/D version of the Hornet, will be a marvel of flexibility. It will handle all strike and fighter duties for the Navy, replacing three earlier aircraft, as well as assuming some tanking responsibilities, and possibly serving as the next-generation Navy jammer. The payoff in logistics savings alone will be enormous, and the projected \$48 million unit cost is a nothing short of a bargain.

The Air Force has taken a different approach to gaining and maintaining air superiority and projecting force, splitting the missions and delaying modernization of strike assets. Focusing on air superiority as the overarching concern of the next century, the Air Force is in the process of developing a new fighter with third generation stealth characteristics, supercruise, thrust vectoring, and integrated avionics. This wonder weapon, the F-22, will not come cheap. The latest estimates are that an F-22 will cost \$134 million apiece, a figure likely to increase due to the state-of-the-art nature of every aspect of the aircraft. More importantly, the single-mission nature of the F-22 will force the Air Force to develop a different new aircraft to handle strike requirements.

What is the Air Force doing? The defense budget has been declining for a decade, a shortfall of several tens of

billions of dollars is looming in the out years, and yet we are being asked to commit enormous resources to a single mission F-22 with a limited mission that will represent only a small fraction of total combat aircraft required.

With the cold war over, are the studies that eliminated upgrades to the F-15 still valid? The F-22 was designed to win against overwhelming odds in enemy airspace facing frontline Soviet aviation units flying aircraft, and anticraft units fielding surface-to-air missiles, a generation more advanced than those presently fielded. Today, and for the foreseeable future, we, and our allies, will have numerical superiority against opponents that are less well-equipped, well-trained, and well-supported. Can an upgrade to the F-15E really not be good enough, when an upgrade to the F/A-18C/D is? Can we afford single-mission aircraft? •

DISREGARDING OF CERTAIN PAYMENTS MADE TO VICTIMS OF NAZI PERSECUTION

Mr. FORD. Now, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1873, a bill to require certain payments made to victims of Nazi persecution to be disregarded in determining eligibility for and the amount of benefits or services based on need just received from the House; that the bill be deemed read three times, passed, and the motion to reconsider laid upon the table; that any statements relating to this matter appear in the RECORD at the appropriate place.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DECONCINI. Mr. President, I rise in support of legislation passed Wednesday, July 13, in the House of Representatives to protect the rights of Holocaust survivors to receive foreign government restitution payments and the full benefits for all needs-based programs provided by our Government. Congressman WAXMAN's bill, H.R. 1873, as amended by the Government Operations Committee, is substantially the same legislation as I introduced last year at the same time as my friend from California.

This bill will prevent all Government agencies from considering restitution payments to Holocaust survivors by the Federal Republic of Germany as income, thereby allowing survivors to receive the restitution without any reduction in the need-based Government services that they are entitled to receive.

This issue recently came to national prominence when I received a letter from Fanny Schlomowitz, an 83-year-old woman who receives low-income rent assistance from the Department of Housing and Urban Development. Fanny is a survivor of a Budapest Jewish ghetto. As a young pregnant woman

living there, Fanny was kicked in the head and beaten on several occasions by S.S. Stormtroopers. Many of those blows she still feels today.

Her only income other than the Holocaust restitution is a monthly \$370 Social Security check. Fanny has high medical and prescription drug expenses. Fanny also pays \$816 every 3 months for her regular medical insurance plan, and an additional plan to assure nursing home care if she needs it, so that she would not have to go to a taxpayer-supported facility. She pays \$63 a month for her small HUD-subsidized apartment. Though nothing can ever make up for the unspeakable acts committed during that time, the Federal Republic of Germany sends her a monthly check as a small token of the remorse felt by the German people for her suffering.

Fanny contacted me when she learned that HUD had decided to consider these restitution payments as annual income and quadruple her rent. Even though these payments are not counted as taxable income by the Internal Revenue Service, HUD felt that the statutes governing low-income housing assistance required the Department to include these payments as income for purposes of computing her rent assistance. As a consequence, the rent for her tiny apartment was to go up by \$164 per month. In desperation, she asked me to help prevent this injustice.

I contacted Secretary of Housing and Urban Development Henry Cisneros to express my dismay at HUD's decision and to request that the action be reversed. Secretary Cisneros immediately called for a review of the matter and within a month's time, the Department proposed a rule providing prospective relief from the long-standing policy. I am indeed very appreciative of the Secretary's prompt attention to the problem. His action has probably prevented any future harm to Holocaust victims eligible for HUD needs-based assistance.

However, Mr. President, as I have advised the Secretary, no legal authority exists for HUD or any other domestic agency action in this area. The Holocaust restitution payments, not reparations payments as referred to in the proposed HUD final rule, are governed by international law. Therefore, no domestic agency has any authority to make any pronouncement, pro or con, as to the legal status of these payments. Only the President, with advice and consent of the Congress, has that authority. Moreover, the legal status of these restitution payments is governed by a 1954 international bilateral protocol.

In 1984, the Ninth Circuit Court of Appeals in *Grunfeder v. Heckler*, 748 F. 2d 503 (1984) reaffirmed this basic constitutional principle. In that case, former Health and Human Services

[HHS] Secretary Margaret Heckler was sued by a Holocaust survivor because the Social Security Administration had included these payments as income for eligibility purposes. The Court held that payment received pursuant to the Federal Republic of Germany Compensation of Victims of National Socialist Persecution statute does not constitute income for purposes of determining eligibility for supplemental security income [SSI] despite the express absence of an exclusion in the statute. The Ninth Circuit specifically found that HHS Secretary Heckler's interpretation of the German Restitution Act is entitled to little deference as the Court is bound to construe the domestic legislation in a way that minimizes interference with the purpose or effect of foreign law.

This case requires us to resolve a conflict between Government's interest in allocating a limited pool of funds to support the country's aged, blind, and disabled against our Government's interest in restoring a semblance of normal existence to Holocaust survivors who are part of our society. In resolving the matter in favor of the latter, we follow the lead of Congress. (Majority opinion at p. 509).

The Grunfeder majority set aside the agency's determination that the reparations payments were countable as income because the SSI eligibility regulations would frustrate German Restitution Act's penitent and restitutionary purpose and because Congress had expressed no desire to interfere with the German Government's attempt to make amends for crimes committed during the Holocaust. I also note that the Court gave great weight to the fact that Congress ratified the 1954 protocol which exempted from income taxation the restitution payments made to Holocaust victims residing in the United States.

Given that HUD's current interpretation is based solely upon the fact that the statute does not provide specific authority to exclude the payments from the rent contribution computation and given that Congress has never indicated it has had any desire to count Holocaust payments as income, any HUD interpretation is as defective as the SSI regulation struck down in *Grunfeder*. Without an express congressional directive, no domestic agency official, whether at HHS or HUD, has ever had authority to include these restitution payments for any purpose, especially eligibility purposes.

Mr. President, this action is long overdue. I was shocked and appalled to learn that an agency of our Government was compounding the tragedy of the Holocaust by penalizing a survivor for receiving restitution. Were it not for the injuries Fanny Schlomowitz received at the hands of the brutal Nazi stormtroopers, she most likely would not have been in the HUD-assisted apartment at all. I am sure that there are others like Fanny all over the Na-

tion, survivors who are again paying a price for nothing more than being victimized by the Nazi regime.

But this bill is necessary for more than the correction of an injustice. The German Government makes restitution payments to Holocaust survivors as a sincere and humble gesture of apology to the people that suffered through the most horrific tragedy in modern history. To subject American citizens that receive these payments to additional financial burdens is to interfere with the penitent purpose of the restitution and to destroy Germany's sovereign right as a nation to try to symbolically do right to those who have been terribly wronged. The payments are not war reparations and they are not income. They are gifts from a nation whose citizens feel the sorrow and shame that the Holocaust has brought to all of humanity, citizens that are unable to erase history and so do what they can to repent for history.

Mr. President, it is wholly inexcusable for any agency of the United States of America to obstruct this noble sentiment as a matter of conscience, and, as a matter of international law, it is unlawful and must be stopped from ever recurring.

Mr. President, I urge my colleagues to join me in support of this important legislation. Let us make it possible for Fanny Schlomowitz and all Holocaust survivors to graciously accept the gifts from the Federal Republic of Germany without interference from our Government.

Mr. President, I ask unanimous consent that the following articles from the Washington Post and New York Times on the issue be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

H.U.D. RULE PUTS SQUEEZE ON HOLOCAUST SURVIVOR

(By Tamar Lewin)

PHOENIX, Feb. 17.—Since 1964, Fanny Schlomowitz, an 84-year-old Holocaust survivor, has been kept from poverty by the monthly payments she receives from the German Government to make up for her mistreatment by Nazis in World War II.

But now, those same payments are making it difficult for her to afford the federally subsidized one-bedroom apartment where she has lived for the last 12 years—in the Kivel Campus of Care, a sunny, well-tended project for the elderly where she helps take telephone messages and puts together the daily bulletin board announcements.

"The manager came last spring and told me she knew I was a Holocaust survivor, and she knew I was getting money every month, and she said that counted as income, so she raised my rent from \$63 a month to \$227," Mrs. Schlomowitz said. "That leaves me very tight."

Most residents at Kivel, one of hundreds of projects for the elderly that are subsidized by the Department of Housing and Urban Development, pay rent of 30 percent of their income, which often consists entirely of Social Security payments. And under the department's guidelines, those with high medical expenses pay even less.

Until this spring, Mrs. Schlomowitz paid \$63 a month for her apartment, a figure determined on the basis of her \$370 monthly social Security payment, and her large medical bills.

But Mrs. Schlomowitz also receives about \$500 a month from the German Government in reparation for the headaches and dizziness she has suffered ever since a wartime beating in the Jewish ghetto in Budapest. At the time, she was eight months pregnant when she was kicked in the head by Nazis so severely that she was unconscious for two days.

"I didn't earn this money, I suffered for it," Mrs. Schlomowitz said. "And I never reported it to H.U.D. because I have a letter from my lawyer saying it is not income. The Internal Revenue service can't touch it, so how can H.U.D.? It's not right."

Senator Dennis DeConcini, an Arizona Democrat to whom Mrs. Schlomowitz wrote for help this month, agreed. "The department's current interpretation is grossly unfair to those who suffered through the most appalling event in modern history." Mr. DeConcini wrote in a letter last week to Housing Secretary Henry G. Cisneros. "These gifts by the Federal Republic of Germany are merely an attempt to atone for an unforgivable horror."

In another letter sent today, Mr. DeConcini cited a 1984 ruling by the Federal Court of Appeals for the Ninth Circuit that Holocaust survivors' reparation payments not be counted as income for determining welfare eligibility.

Mr. DeConcini's press secretary, Robert Maynes, noted that Japanese-Americans who receive reparation payments from the United States Government for internment during World War II do not have that money included in computing their subsidized rent.

FEDERAL LAW IS CITED

A spokesman for the housing department in Washington said that although German war reparation payments were not counted in deciding residents' eligibility for subsidized housing, Federal law required that such payments be counted as assets in setting rent. Any change, he said, would have to be made by Congress, not by the department.

"H.U.D. is the only agency that counts this money as income, and it's something we need to change," Mr. Maynes said. "It's kind of a nonsensical bureaucratic approach to say you don't count the money for eligibility but you will count it as income. The I.R.S. doesn't tax this money. H.H.S. doesn't count it as assets. H.U.D. shouldn't count it, either."

Nonetheless, since June, Mrs. Schlomowitz has been paying the higher rent of \$227 a month—\$100 of which is to pay back the Government for the years in which she paid the lower rent.

"I really can't afford this," she said. "I pay every three months more than \$800 for health insurance and nursing home insurance. I need food and medicine and special shoes because my foot is not so good. And I don't want to take charity from anyone. But like this, I can't buy anything."

Rebecca Flanagan, the manager of the local office of the Federal department, said she was seeking guidance from agency officials in Washington.

"We have sent a fax to Washington, explaining the situation and asking for further directions, but we haven't got an answer yet," she said.

WITH A LITTLE HELP FROM HER FRIENDS

(By Guy Gugliotta)

Every once in a while somebody beats the system. Fanny Schlomowitz, for one, appears to have a great shot at doing it. She isn't going to get rich, but with a little bit of luck she should be even by this time next year.

Win or lose, however, Schlomowitz already has proven that even an 86-year-old grandmother can win if her cause is just—and if she can find a couple of friends in high places.

The Department of Housing and Urban Development started leaning on Schlomowitz in early 1992, doubling her rent at a HUD-assisted housing project after learning that she received about \$500 per month from the German government.

Schlomowitz is a Holocaust survivor, a Hungarian Jewish immigrant who endured the Third Reich's extermination camps between 1933 and 1945.

She emigrated to Houston in 1956, worked in Brooklyn, N.Y., then moved with her husband to the Kivel Campus of Care project in Phoenix 13 years ago so she could be closer to her three children and her grandchildren.

Her husband has since died, but Schlomowitz remains cheerful and energetic. Her Middle European English untouched by nearly 40 years in the New World. "Ooh, this isn't an Arizona accent," she laughed in a recent telephone interview. "This is a Hungarian accent. Always I'm a Hunky."

The \$500 Schlomowitz receives from Germany is a reparation paid to compensate her for the dizzy spells and headaches that began after a Nazi soldier clubbed her in the face in the Budapest ghetto.

HUD doubled her rent at Kivel because those were the rules. The extra \$500 meant that her monthly income was \$870, not the \$370 she receives in Social Security. The rules said more income means more rent: up from \$63 per month to \$127.

Furthermore, Schlomowitz had received the reparation ever since she moved to Kivel, so HUD charged her an extra \$100 per month for the arrearage. Paying \$227 per month wiped her out practically overnight.

Schlomowitz, however, was no dummy. First, local news organizations did articles about her, then she wrote Sen. Dennis DeConcini (D-Ariz.) to tell him what had happened. DeConcini notified HUD Secretary Henry Cisneros, who on March 18 exempted Holocaust reparations in calculating eligibility for HUD-assisted housing. Schlomowitz's rent returned to \$63 in April.

DeConcini does not plan to run for reelection next year, but if he did, he would have at least one hard-core supporter. "God bless him, he did a lot for me," Schlomowitz said. "If I hadn't thought of writing him, I don't know what would have happened."

At one point federal officials told Schlomowitz that it would take "an act of Congress" to change the rules governing program eligibility.

Fair enough.

In April, DeConcini and Rep. Henry A. Waxman (D-Calif.) introduced legislation requiring the government to disregard "certain payments made to victims of Nazi persecution" when assessing qualifications for any kind of means-tested public assistance—housing or otherwise. Staffers are confident this measure—a bona fide "act of Congress"—will easily pass both houses early next year.

It is "a moral step, with negligible fiscal impact," Waxman said in introducing the

House legislation. "The actual number of individuals who will be affected by this bill will be small."

Small, and dwindling fast. The New York-based American Gathering of Jewish Holocaust Survivors estimates there are 45,000 to 50,000 survivors living in the United States, the vast majority of whom are at least 70 years old.

Of these, said Michael Feuer, executive director of Bet Tzedek Legal Services in Los Angeles, "we do not expect there to be 10,000" who could be described as needy people qualifying for federal assistance. Feuer said most of the survivors, rich or poor, receive \$200 to \$500 per month from Germany, and, in a few cases, Austria.

It was Bet Tzedek that argued successfully in federal appeals court 10 years ago that Supplemental Security Income payments could not be denied to a disabled Holocaust survivor because she received \$228 per month in German reparations. The recent Cisneros ruling also has exempted housing, and DeConcini-Waxman seeks to cover food stamps, Medicaid and anything else.

One question still unresolved is the extra \$1,968 paid by Schlomowitz during the year when HUD raised her rent. DeConcini plans to ask for an appropriation to cover it and to cover anyone else who might step forward to ask for retroactive relief.

Getting the money could be a bit sticky. DeConcini's office admitted, but on the other hand, he isn't trying to fund the Superconducting Super Collider. Quite likely, say DeConcini and Waxman aides, there is \$1,968 in Schlomowitz's future.

If so, all of us might take heart. When the bureaucracy pushed Fanny Schlomowitz, she pushed back.

And the bureaucracy blinked.

So the bill (H.R. 1873) was deemed to have been considered, read three times, and passed.

ORDERS FOR WEDNESDAY, JULY 20, 1994

Mr. FORD. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9 a.m., Wednesday, July 20; that when the Senate reconvenes on that day, the Journal of proceedings be deemed to have been approved to date, the call of the calendar be waived, and no motions or resolutions come over under the rule; that the morning hour be deemed to have expired; that the time for the two leaders be reserved for their use later in the day; that there then be a period for morning business not to extend beyond 9:30 a.m., with Senators permitted to speak therein for up to 5 minutes each; that immediately after the Chair's announcement, Senator HEFLIN be recognized for up to 10 minutes and that Senator GRAMM of Texas be recognized for up to 15 minutes; that at 9:30 the Senate resume consideration of H.R. 4554, the agriculture appropriations bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. FORD. Now, Mr. President, if there be no further business to come before the Senate today, I move that

the Senate stand adjourned as previously ordered.

The motion was agreed to, and the Senate, at 8:38 p.m., adjourned until Wednesday, July 20, 1994, at 9 a.m.